

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Monday, the 5th February 1934.

The House met at eleven of the clock, Mr. President (the hon. Mr. B. RAMACHANDRA REDDI) in the Chair.

PRESENT :

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| Usman Sahib Bahadur, K.C.I.E., The hon. Khan Bahadur Sir Mahomed. | Muniswami Nayudu, Diwan Bahadur B. Muniswami Pillai, Rao Sahib V. I. |
| Krishnan Nayar, Kt., The hon. Diwan Bahadur Sir M. | Muthiah Chettiyar, Mr. M. A. |
| Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The hon. Sir Archibald. | Muthu Chettiyar, Rao Bahadur P. C. |
| Stokes, K.C.I.E., C.S.I., I.C.S., The hon. Sir Hopetoun. | Nachiyappa Gounder, Mr. K. A. |
| Raja of Bobbili, The hon. the. | Nanjappa Bahadur, Subadar-Major S. A. |
| Rajan, The hon. Mr. P. T. | Narasa Reddi, Mr. T. |
| Kumaraswami Reddiyar, The hon. Diwan Bahadur S. | Narasimhaswami, Rao Sahib D. V. |
| Abdul Hameed Khan Sahib Bahadur. | Narayanan Nambiyar, Mr. V. P. |
| Ahmed Miran Sahib Bahadur. | Natesa Mudaliyar, Rao Bahadur C. |
| Alamelumangathayaramma, Mrs. K. | Palat, Mr. R. M. |
| Annamalai Chettiyar, Mr. S. A. A. | Parthasarathi Ayyangar, Mr. C. R. |
| Appadurai Pillai, Diwan Bahadur A. | Patro, Kt., Rao Bahadur Sir A. P. |
| Arasu, Mr. V. T. | Pattabhiramayya, Mr. K. |
| Basheer Ahmed Sayeed Sahib Bahadur. | Pocker Sahib Bahadur, B. |
| Basu Dev, Mr. C. | Premayya, Mr. G. R. |
| Bayappa Reddi, Mr. P. | Rajagopala Pillai, Mr. P. V. |
| Bhanoji Rao, Mr. A. V. | Raja of Khalikote. |
| Devadasan, Mr. M. | Raja of Parlakimedi. |
| Dharmalingam Pillai, Rao Sahib V. | Ramachandra Padayachi, Mr. P. K. |
| Duraishwami Reddiyar, Mr. K. M. | Ramakrishna Reddi, Mr. A. |
| Hood, I.C.S., Mr. H. M. | Ramalingam Chettiyar, Rao Bahadur T. A. |
| Indrayya, Mr. C. | Ramamurti, Rao Sahib Pandit Ganala. |
| Jagannatham, Mr. H. M. | Raman Menon, Mr. K. P. |
| Jayaram Nayudu, Rao Sahib C. | Ramaswami Ayyar, Mr. T. S. |
| Kesavaramamurti Nayudu, Mr. K. | Ramaswami Mudaliyar, Mr. V. M. |
| Khalif-ul-lah Sahib Bahadur, Khan Bahadur P. | Ranganatha Mudaliyar, Mr. A. |
| Kolanda Reddi, Rai Sahib C. | Ranganatha Mudaliyar, Mr. G. |
| Koti Reddi, Mr. K. | Ranganatha Mudaliyar, Mr. M. D. T. |
| Krishnayya Choudari, Mr. P. V. | Rangaswami Reddi, Mr. M. B. |
| Krishnamurti, Rao Bahadur D. | Sahajanandam, Swami A. S. |
| Krishnan, Mr. C. | Sami Venkatachalam Chetti, Mr. |
| Kuppuswami Choudari, Mr. J. | Sesha Reddi, Mr. B. P. |
| Ladden, Mr. W. W. | Shetty, Mr. A. B. |
| Lakshmana Reddi, Mr. G. | Singam Ayyangar, Mr. K. |
| Madanagopal Nayudu, Mr. R. | Siva Raj, Rao Sahib N. |
| Mahboob Ali Baig Sahib Bahadur. | Smith, C.I.E., I.C.S., Mr. E. Conran. |
| Mahmud Schamnad Sahib Bahadur, Khan Bahadur. | Soundara Pandian, Mr. W. P. A. |
| Manikkavelu Nayakar, Mr. M. A. | Srinivasan, Rao Bahadur R. |
| Metherell, Mr. J. K. | Sriramulu, Mr. G. |
| Moidoo Sahib Bahadur, Khan Bahadur T. M. | Subbarayan, Dr. P. |
| Moses, Mr. P. C. | Subrahmanya Chetti, Rao Sahib P. |
| Muhammad Meera Ravuttar, Mr. K. P. V. S. | Subrahmanya Bhatt, Mr. U. C. |
| | Sundara Rao Nayudu, Mr. T. |
| | Syed Tajuddin Sahib Bahadur, Khan Sahib. |
| | Thangal, Mr. P. M. |
| | Thorne, C.I.E., I.C.S., Mr. J. A. |
| | Vasudeva Pillai, Mr. V. G. |

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PRESENT—cont.

Vedachala Mudaliyar, Mr. M.	Viswanatha Rao, Diwan Bahadur V. N.
Venkatachala Reddiyar, Mr. K. C. M.	Yakub Hasan Sahib Bahadur.
Venkatarama Ayyar, Mr. K. R.	Zamindar of Kirlampudi.
Venugopal Nayudu, Rao Bahadur R. K.	Zamindar of Mirzapuram.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Excise

Districts subject to the prohibition experiment.

* 608 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Minister for Education and Excise be pleased to state—

(a) for which of the districts the scheme for prohibition is yet tried;

(b) how many liquor shops have been closed in each area; and

(c) whether temperance propaganda is being carried on in those areas, and if so, by which agency?

A.—(a) The experimental closure of arrack shops in the toddy drinking areas of the Shiyali and Tiruturaipundi taluks of the Tanjore district and the Tiruvadanai and Paramakudi taluks of the Ramnad district and the prohibition of the sale of liquor of any kind to the members of the hill-tribes on the Nilgiris district except on a medical certificate are being continued.

(b) All arrack shops in the Shiyali, Tiruturaipundi and Tiruvadanai taluks were closed from 1st April 1924 and those in Paramakudi taluk were closed from 1st April 1929. The foreign liquor shops in the Shiyali, Tiruturaipundi and Tiruvadanai taluks were closed from 1st April 1929. In the Nilgiris the arrack shop at Kottagiri was closed from 15th May 1928 and one foreign liquor shop from 1st April 1930. The closure of foreign liquor and beer shops on Sundays in the Nilgiris district which was ordered in November 1929 still continues.

(c) The Government have no information whether temperance propaganda is being carried on in the areas above mentioned.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know, Sir, in how many districts prohibition was originally started? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Notice, Sir."

Mr. A. RANGANATHA MUDALIYAR:—" May I know, Sir, whether as a result of this measure, the revenue is the same as it was before? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I do not understand what my hon. Friend means by ' this measure '."

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Mr. A. RANGANATHA MUDALIYAR:—" I would like to know whether, by the closure of these arrack and foreign liquor shops, the revenue is the same as it was before this measure was adopted? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" They were not closed this year, but they were closed some years ago."

Mr. A. RANGANATHA MUDALIYAR:—" I want to know whether the present revenue is about the same as it was before the closure of the shops? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Before the closure five or six years ago."

Mr. A. RANGANATHA MUDALIYAR:—" I want to know whether there is any fall; if so, whether it is due to the closure of these shops, and whether toddy sales have increased? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Notice, Sir."

Local Self-Government

Complaints against presidents of local boards regarding the irregular disposal of tenders.

* 609 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) how many complaints have been received since 1st January 1933 against presidents of local boards who have discarded the definite instructions issued by the Government in the matter of disposal of tenders for the works of those boards, and how they have been disposed of;

(b) from whom such complaints were received;

(c) whether there is any proposal to modify the rules in the Local Boards Manual in respect of disposal of tenders for the works of the local boards; and

(d) if so, what they are?

A.—(a) & (b) Complaints have been received from some contractors that presidents of district boards are not rigidly adhering to the rules; several presidents of district boards have however represented that the existing rules cannot be conveniently followed in certain cases, especially of small tenders.

(c) & (d) The question of revising the rules for the invitation and acceptance of tenders is under the consideration of Government.

Mr. A. RANGANATHA MUDALIYAR:—" What is the nature of the majority of the complaints received from the contractors? "

The hon. the RAJA OF BOBBILI:—" In all cases the lowest tender has not been accepted."

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Compliance by district boards with the Government Order regarding the acceptance of tenders.

* 610 Q.—**Mr. P. V. KRISHNAYYA CHOUDARI:** Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether there are any boards which have failed to carry out the instructions contained in the Government Order regarding the acceptance of tenders; if so, which the boards are and what action has been taken by the Government against those boards;

(b) whether the Government have called for information from each district board and have satisfied themselves that the instructions have been properly carried out; and

(c) whether the Government will lay on the table of this House a copy of the information obtained from each district board?

A.—(a) The attention of the hon. Member is invited to the answer to question No. 609.

(b) No, but some presidents of district boards have represented to Government the difficulties they have felt in the observance of the rules.

(c) No useful purpose will be served thereby. The question of revising the rules is under the consideration of Government.

Mr. K. A. NACHIYAPPA GOUNDER:—“ May I know what is the nature of the representation made by district boards in observing the rules? ”

The hon. the **RAJA OF BOBBILI:**—“ The absence of approved list of contractors for these districts and also that in the case of small contracts it has been found difficult to enforce the rules; so that the matter is under the consideration of Government.”

Mr. A. RANGANATHA MUDALIYAR:—“ What is the direction in which the Government are considering the revision of the rules? ”

The hon. the **RAJA OF BOBBILI:**—“ One alternative is to have an approved list of contractors, and the other alternative is to have a committee.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ What is the benefit that will be derived by having an approved list? ”

The hon. the **RAJA OF BOBBILI:**—“ To prevent malafide tendering.”

Mr. A. RANGANATHA MUDALIYAR:—“ May I know whether the Government will adhere to the rules that, from among the approved list of contractors, the lowest tender will be accepted, or will they depart from the rule? ”

The hon. the **RAJA OF BOBBILI:**—“ Unless there are sufficient reasons, the lowest tender should be accepted.”

Mr. K. KOTI REDDI:—“ May I know, Sir, whether in this connexion Government will consider the memorandum that I have submitted to the Government some time ago.”

The hon. the **RAJA OF BOBBILI:**—“ It is under consideration.”

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District boards and taluk boards working at a deficit.

* 611 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the names of the district boards which are working at a deficit and the amount of deficit in the last budget of each of them; and

(b) the names of taluk boards which have recurring deficits and those which are on the border line?

A.—(a) Particulars are furnished in Annexure I.*

(b) Particulars are furnished in Annexure II.*

Mr. A. RANGANATHA MUDALIYAR:—“How have Government met the deficits of several districts like Trichinopoly?”

The hon. the RAJA OF BOBBILI:—“It is for the district boards to devise ways and means.”

Mr. A. RANGANATHA MUDALIYAR:—“Have the Government approved the deficit budgets or insisted that their budgets should be balanced?”

The hon. the RAJA OF BOBBILI:—“In some cases Government have done so.”

District boards working at a deficit.

* 612 Q.—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) how many and which of the district boards are working at a deficit at present;

(b) what action the Government propose to take to remedy this defect; and

(c) whether it is a fact that the revenues of the district boards have decreased owing to the abolition of tolls?

A.—(a) The attention of the hon. Member is invited to the answer to question No. 611.

(b) The attention of the hon. Member is invited to the Press Communiqué, dated 6th January 1934, regarding the abolition of taluk boards. The Government's proposals are contained in Bill No. 2 of 1934. It is also proposed to introduce a Bill providing for the imposition of tolls on non-motor vehicles and animals.

(c) The answer is in the affirmative.

Taluk boards working on a deficit both prior to and after the Local Boards (Amendment) Act, 1930.

* 613 Q.—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) how many and which of the taluk boards which were in existence before the Local Boards Act, 1930, were working at a deficit;

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(b) how many and which of the present taluk boards are working at a deficit; and

(c) what action the Government propose to take to remedy these defects?

4.—(a) Particulars are furnished in the annexure.*

(b) The attention of the hon. Member is invited to the answer to clause (b) of question No. 611.

(c) The attention of the hon. Member is invited to the Press Communiqué, dated 6th January 1934, regarding the abolition of taluk boards. The Government's proposals are contained in Bill No. 2 of 1934.

Taluk boards and their finances prior to bifurcation.

* 614 Q.—MR. M. D. T. RANGANATHA MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the total number of taluk boards in this Presidency;

(b) how many of them are self-supporting; and

(c) how many taluk boards were financially low prior to every taluk being bifurcated into a taluk board?

A.—(a) 208.

(b) 79.

(c) Out of 130 taluk boards in 1930-31 as many as 46 taluk boards were unable to make their receipts cover their expenditure. Since then, the finances of taluk boards have been adversely affected not only by the bifurcation but also by the fact that taluk boards which had been levying an optional land-cess of not more than 3 pies in addition to the 6 pies cess, lost the income from such optional land-cess in panchayat areas under the Madras Local Boards (Amendment) Act, 1930.

Appointment and pay of district panchayat officers.

* 615 Q.—MR. A. B. SHETTY: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether district panchayat officers have been appointed in all districts; and

(b) whether their pay is met from the general funds of the board or from the Village Development Fund?

A.—(a) The attention of the hon. Member is invited to the answer to clause (a) of question No. 570.

(b) The Government have permitted district boards to debit the pay only of the district panchayat officer to the Village Development Fund with the concurrence of the Village Development Fund Committee, if it is not possible to meet the expenditure from the general funds of the district boards.

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Rao Sahib V. I. MUNISWAMI PILLAI:—"With reference to the answer to clause (b), may I know why the travelling allowance of the panchayat officers should be debited to general account instead of the village development account?"

The hon. the RAJA OF BOBBILI:—"Government considered it sufficient if the salary is debited to the Village Development Fund, and that the other expenses to the general resources of the district board."

Rao Sahib V. I. MUNISWAMI PILLAI:—"Is not the panchayat officer working in the rural areas and village panchayats, and does not sit in office at the headquarters?"

The hon. the RAJA OF BOBBILI:—"It is so, but the district boards also have certain duties to perform in rural areas."

Mr. P. V. KRISHNAYYA CHOUDARI:—"While the pay of these officers is being met out of the development fund, why not their travelling allowance also be debited to that fund?"

The hon. the RAJA OF BOBBILI:—"I have just answered that question."

Medical Administration

Management of Taluk Headquarters Hospitals by Government.

* 616 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the proposal of the Government to take charge of taluk headquarters hospitals was given effect to; and

(b) if so, when will the Cumbum taluk headquarters hospital be taken up by the Government?

A.—(a) & (b).—The Government have had under consideration the question as to whether local bodies should continue to maintain the taluk headquarter medical institutions which are now under their control or whether the Government should provincialize them. In view of the existing financial stringency and the proposal to abolish taluk boards they have decided to drop the further consideration of the question.

Lady doctor for the Kasaragod taluk.

* 617 Q.—Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether any representation has been made to the Government that a very large section of the women of the Kasaragod taluk in South Kanara district who observe gosha system find it difficult to get medical aid as there is no woman doctor in the whole taluk, not even in the headquarters hospital at Kasaragod;

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(b) whether there is any proposal before the Government to appoint a woman doctor at the Kasaragod taluk headquarters hospital; and

(c) whether they are aware that the woman doctor appointed for the Puttur taluk headquarters hospital sits and sees patients in the same room and at the same table along with the other medical man?

A.—(a) No.

(b) No.

(c) Yes; because the out-patient block of the hospital is a small one. The examination of women patients is, however, done by the woman doctor in the female dressing room.

Restrictions on the issue of medical certificates by L.I.M. certificate holders.

* 618 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the members of the staff of Government School of Indian Medicine, Madras, are authorized to issue medical certificates to Government servants, but that the students who pass from the same school and hold certificates of L.I.M. are not allowed to do the same; and

(b) if so, on what grounds?

A —(a) & (b).—Medical certificates granted to Government servants by the members of the staff of the Indian Medical School can be accepted only if the members—

(i) have registered their names under the Medical Registration Act (IV of 1914), or

(ii) are holders of the diploma of Licentiate in Indian Medicine and have their names registered under the rules for the registration of practitioners of Indian medicine approved by the Government.

Certificates granted by L.I.Ms. to Government servants examined or treated by them may be accepted if the L.I.Ms. have registered their names under the rules referred to in (ii) above.

Public Health

Progress of the scheme for the supply of drinking water from the Mettur reservoir to Salem.

* 619 Q.—MR. K. A. NACHIYAPPA GOUNDER: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) at what stage the scheme for the supply of drinking water to Salem Municipality from Mettur reservoir is;

(b) what the proposals are which the Government made to the municipality;

(c) whether the municipality of Salem has accepted the proposals;

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(d) whether copies of the Government proposals and the reply of the municipality will be placed on the table; and

(e) if the proposals have not been forwarded to the municipality, what the reasons are for the delay?

A.—(a) to (e).—The financing of the scheme is still under the consideration of the Government. No proposals have yet been referred to the municipal council.

Mr. K. A. NACHIYAPPA GOUNDER:—“ May I know what is the difficulty with regard to financing the scheme? ”

The hon. the RAJA OF BOBBILI:—“ In answer to a previous question I have given details. The Government are now considering the question of fixing a water-rate for water taken by the municipality. ”

Mr. K. A. NACHIYAPPA GOUNDER:—“ Is the water taken by the municipality also to be charged, Sir? ”

The hon. the RAJA OF BOBBILI:—“ Yes, Sir. ”

Religious and Charitable Endowments

Measures for the constitution of Temple Committees under the Hindu Religious Endowments Act.

* 620 Q.—Mr. V. M. RAMASWAMI MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) what steps the Government have taken for the constitution of the elected Temple Committees under the Hindu Religious Endowments Act;

(b) the districts where such committees have not been constituted and the reasons therefor; and

(c) whether the financial position of the Hindu Religious Endowments Board has not improved after the passing of the amended Act giving the Board more powers and whether such improved finances are in any manner utilized for the purpose of the constitution of the elected committees?

A.—(a) & (b).—Owing to lack of funds it has not been possible in many districts to hold elections for the constitution of the committees. The Government have under consideration the question of amending the Madras Hindu Religious Endowments Act, 1926 (II of 1927), so as to enable them to reconstitute the committees by nomination. Committees have been constituted in the districts of South Arcot, Tanjore and Tinnevely. In the Madura district a committee is working in respect of the Sri Minakshi Sundareswarar Devasthanam and its allied institutions.

(c) The financial position of the Board has improved to a certain extent, but the Board is not as yet in a position to spare funds for the purpose.

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Mr. M. A. MANIKKAVELU NAYAKAR:—"The answer states that Government are considering the question of amending the Madras Hindu Religious Endowments Act so as to reconstitute the committees. Since the committees are not functioning for over two years, may I request the hon. the Chief Minister to expedite the proposed amendment of the Act?"

The hon. the RAJA OF BOBBILI:—"The question is yet pending and, as soon as time permits, we will undertake legislation."

Reconstitution of Temple Committees.

* 621 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that in several districts the Hindu Temple Committee have not yet been reconstituted;

(b) whether the Government will be pleased to state why they have not been so reconstituted; and

(c) whether there is any proposal before the Government to amend the Hindu Religious Endowments Act, so as to enable the Hindu Religious Endowments Board to reconstitute the temple committees in a satisfactory manner?

A.—(a) Yes.

(b) Owing to lack of funds it has not been possible to hold elections.

(c) The question of amending the Hindu Religious Endowments Act to enable Government to reconstitute the Committees by nomination wherever necessary is under consideration.

Districts enjoying the privilege of elected temple committees.

* 622 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) in which of the districts elected temple committees are functioning;

(b) why election for temple committees has not been introduced in the Salem district;

(c) who the members are of the temple committee in the Salem district now;

(d) whether this temple committee has got executive powers or whether it is only advisory;

(e) when elected temple committees are to come into operation in Salem district; and

(f) how many temple committees are to be there then and what the area represented by each is?

A.—(a) Committees are functioning in the districts of South Arcot, Tanjore and Tinnevely. In Madura the Committee constituted for the Sri Minakshi Sundareswar, etc., Devasthanams alone is functioning.

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- (b) The elections could not be held owing to lack of funds.
- (c) & (d) The Committees in the district are not functioning at present.
- (e) & (f) It is not possible to state now when the Committees will be reconstituted and what their respective territorial jurisdiction will be.

Temple Committees in the Coimbatore district.

* 623 Q.—MR. K. A. NACHIYAPPA GOUNDER: Will the hon. the Minister for Local Self-Government be pleased to state—

- (a) whether temple committees have been constituted in the Coimbatore district;
- (b) if so, how many committees there are and how and when they have been constituted;
- (c) whether it is by election or by nomination;
- (d) if it is not by election, why such system was not introduced yet in that district;
- (e) whether the committees are simply advisory or whether they have got executive powers; and
- (f) if no committees are functioning now, what it is due to?

A.—(a) to (c) Two committees were constituted for the district by nomination in 1928. Their term expired in 1931.

(d) & (f) Of the two committees in the district, the Coimbatore Circle Committee has not sufficient funds to meet the cost of election. A proposal to constitute a single committee for the whole district is under consideration.

(e) The attention of the hon. Member is invited to the provisions of the Madras Hindu Religious Endowments Act, especially those in Chapters III and V.

Delay in the conduct of elections to the temple committees in the Trichinopoly district.

* 624 Q.—MR. K. SINGAM AYYANGAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government are aware that election arrangements are delayed in the constitution of the temple committees in the Trichinopoly district where the necessary amount has been already placed at the disposal of the Board from the committee funds for the conduct of the elections; and

(b) if so, whether the Government will be pleased to call for a report from the Hindu Religious Endowments Board regarding this?

A.—(a) & (b) A report has been called for from the Hindu Religious Endowments Board on the subject.

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*Delay in the conduct of election to the Temple Committee,
Trichinopoly.*

* 625 Q.—MR. K. SINGAM AYYANGAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) why the election for the Trichinopoly Temple Committee, ordered to be held, has not been held as yet; and

(b) if it has not been held, the reasons for the delay?

A.—The attention of the hon. Member is invited to the answer to question No. 624.

Irrigation

*Proposal of the Mysore Government to proceed with the execution
of the Lakkavalli Project.*

* 626 Q.—MR. G. LAKSHMANA REDDI: Will the hon. the Member for Revenue be pleased to state—

(a) at what stage the Tungabhadra Project Scheme is;

(b) whether the Mysore Government is contemplating to construct a reservoir across the river Bhadra at Lakkavalli (otherwise known as Lakkavalli Project);

(c) if so, to what extent the contemplated Tungabhadra Project would be affected both in the matter of water-supply and the area to be irrigated; and

(d) whether the Governments of Madras, Hyderabad and Mysore have met and come to a decision regarding the Lakkavalli Project?

A.—(a) The preliminary investigation of the project is in progress.

(b) Yes.

(c) The matter is being examined.

(d) Not yet.

MR. G. LAKSHMANA REDDI:—"May I know, Sir, when the preliminary investigation is likely to be completed?"

The hon. Sir ARCHIBALD CAMPBELL:—"I cannot say, Sir."

MR. P. V. KRISHNAYYA CHAUDARI:—"Is it not a wrong policy of the Government to increase the number of projects when they are losing so many lakhs of rupees annually on account of the excess cultivation of paddy?"

The hon. Sir ARCHIBALD CAMPBELL:—"I do not agree. I may also mention that the projects that are under consideration are not merely intended for the cultivation of paddy."

MR. G. LAKSHMANA REDDI:—"Have the Mysore Government begun to construct their reservoir, Sir?"

The hon. Sir ARCHIBALD CAMPBELL:—"No, Sir."

MR. A. RANGANATHA MUDALIYAR:—"With regard to the answer to clause (d), may I know whether the three Governments—Madras, Mysore and Hyderabad—have begun to discuss the matter or not?"

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The hon. Sir ARCHIBALD CAMPBELL:—"The discussion has not yet begun. But the Mysore Government very kindly sent some particulars about their project and the information was also communicated to the Hyderabad Government. That is preliminary to the consideration of the matter."

Mr. K. KOTI REDDI:—"May I know when the conference is going to meet to consider the whole question?"

The hon. Sir ARCHIBALD CAMPBELL:—"I cannot say, Sir."

Damage to the Kanigiri Reservoir caused by the cyclone.

* 627 Q.—The KUMARARAJA OF VENKATAGIRI: Will the hon. the Member for Revenue be pleased to state—

(a) the extent of damage caused to the masonry works and the bund of the Kanigiri reservoir in Nellore district by the cyclone in November 1933;

(b) the extent of damage done to

(i) fields and (ii) crops;

(c) the action taken by the Government to improve the masonry works connected with this reservoir and to make them permanently strong;

(d) the concession and remissions granted so far or proposed to be granted to the owners of fields and crops damaged;

(e) the improvements contemplated to the drainage system under the said reservoir; and

(f) what amount will be spent during the budget year in this connexion under various heads and what provision will be made in the budget for 1934-35?

4.—(a), (b) & (d) Extracts^a from the reports of the Chief Engineer for Irrigation and the Collector of Nellore are annexed.

(c) Detailed instructions regarding the steps to be taken to repair the damages have been issued to the Superintending Engineer by the Chief Engineer. The following are the works proposed:—

(1) Providing 30 feet radial shutters to the Maldevi drainage regulator; and

(2) repairing the other damaged portions of the revetment with mortar instead of dry stone packing and grouting adopted hitherto.

(e) No other improvements are contemplated at present.

(f) A sum of Rs. 3,000 has been allotted for expenditure on the repairs of flood damage to the reservoir during the current year under "XIII. Irrigation—Working expenses." For 1934-35, a provision of Rs. 37,000 has been made.

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Land Revenue Administration*Resettlement operations in Salem district.*

* 628 Q.—MR. K. A. NACHIYAPPA GOUNDER: Will the hon. the Member for Revenue be pleased to state—

(a) at what stage the resettlement operations in the Salem district are;

(b) which part or parts of the Salem district are being resettled now;

(c) whether the report of the Special Settlement Officer in that district has been got ready;

(d) when it is likely to be published;

(e) when the resettlement rates are to be given effect to;

(f) whether the Government have received any representations praying that the resettlement rates should not be given effect to for some years to come; and

(g) if so, from where such representations have been received and what orders have been passed on them?

A.—(a) & (b) The attention of the hon. Member is invited to the answer to clauses (a) and (b) of his question No. 36 given on 1st August 1933. Resettlement operations have not yet commenced in the northern taluks of the Salem district.

(c) & (d) The Government understand that the report is nearly ready. It is not yet possible to say definitely when it will be published.

(e) The answer to clauses (c) and (d) of question No. 36 given on 1st August 1933 contains information on this point.

(f) & (g) Except two resolutions of which notice was given in the Legislative Council no representations asking for the postponement of the Salem resettlement operations have been received since 1st January 1933.

MR. K. A. NACHIYAPPA GOUNDER:—" May I know whether resettlement operations in the other taluks of the Salem district have been completed? "

The hon. Sir ARCHIBALD CAMPBELL:—" No, Sir."

Relief measures in South Arcot consequent on the cyclone havoc.

* 629 Q.—MR. BASHEER AHMED SAYEED: Will the hon. the Member for Revenue be pleased to state—

(a) the extent of damage caused to house, property, lands, crops and trees by the cyclone of December 1933 in the various taluks of South Arcot;

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(b) the number of cattle that died on account of the effect of the cyclone and the number of human lives that were lost during and by reason of the cyclone of December 1933 in the various taluks of South Arcot;

(c) the measures that were taken by the Government to afford relief to the ryots affected by the cyclone and the measures proposed to be taken in the several taluks of the district;

(d) whether any representations have been received by the Government or the District Collector of South Arcot from the ryots or associations of ryots and mirasidars as to the necessity for and the inadequacy of relief given to the ryots of the cyclone-affected areas in the district of South Arcot;

(e) what the nature and scope of the representations are; and

(f) what the action already taken or proposed to be taken by the Government is in respect of the said representations?

A.—(a) to (c) The information received by the Government has been given in the Press Communiqué, dated 12th January 1934.

(d) Some petitions asking for relief on account of damage caused by the cyclone have been received by the Government. Copies of some of these petitions appear to have been sent to the Collector also.

(e) The main requests contained in the petitions received by the Government are—

(1) that assessment should be reduced or that a portion of the land revenue should be remitted;

(2) that tree tax should be reduced;

(3) that land revenue should be collected in six instalments or that kists should be postponed; and

(4) that loans should be granted free of interest or at reduced rates of interest.

(f) The attention of the hon. Member is invited to the Press Communiqué mentioned in the answer to clauses (a) to (c). The ordinary remissions for loss of crop admissible under the Board's Standing Orders will be granted. The question whether any special concessions should be given will be considered by the Collector.

Prices and Wages

Reports on the economic condition of the Province.

* 630 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have received the reports on prices of paddy and the agricultural situation from Collectors of all districts; and

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(b) whether they will be pleased to place these reports in a consolidated form on the table of this House?

A.—(a) & (b) The Government have not received the reports but have received from the Board of Revenue a summary of the reports. This^a is placed on the table of the House.

Prisons and Prisoners

Supply of buttermilk to 'C' class prisoners.

* 631 Q.—MR. K. A. NACHIYAPPA GOUNDER: Will the hon. the Law Member be pleased to state—

(a) whether orders have been passed in the matter of supply of buttermilk to 'C' class prisoners in jails;

(b) if so, what it is and whether a copy of it will be placed on the table; and

(c) how long this matter has been under the consideration of the Government?

A.—(a) The hon. Member is referred to the answer to question No. 554.

(b) The answer to the first part of the question is that buttermilk cannot be made an article of diet to 'C' class prisoners, and the answer to the second part of the question is in the negative.

(c) The question was under the consideration of Government for some months.

Control of Vehicles

Authorization of District Superintendents of Police to issue 'G' permits to motor vehicles plying for hire.

* 632 Q.—KHAN SAHIB SYED TAJUDDIN SAHIB Bahadur: Will the hon. the Home Member be pleased to state—

(a) whether the Government have decided that in future District Superintendents of Police should be responsible for the grant of 'G' permits to motor vehicles plying for hire instead of the District Magistrates;

(b) whether a large number of bus-owners have protested against this proposal; and, if so, on what grounds; and

(c) whether it is a fact that at present District Magistrates, when leaving headquarters, authorize Additional District Magistrates or Treasury Deputy Collectors to issue the permits?

A.—(a) The Government are hoping to issue orders in this matter shortly.

(b) Several bus-owners, mostly belonging to the Tanjore district, have protested against the proposal for the following reasons:—

(1) that the present system is satisfactory;

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- (2) that the proposed transfer would give too much power to the Police; and
 - (3) that there would be delay in the issue of 'G' permits with resultant financial loss to them.
- (c) The Government have no information.

Mr. ABDUL HAMEED KHAN:—" May I ask the hon. the Home Member whether it is a fact that at the last Collectors' Conference, they prepared a certain scheme for regulating motor traffic and issuing licences and that the scheme has been in the Secretariat since then without any orders being passed on it? "

The hon. Sir MAHOMED USMAN:—" I must ask for notice of the question."

Mr. ABDUL HAMEED KHAN:—" Will the hon. the Home Member please consult the Bus Owners' Association, not only in the City but also in the mufassal, before the Government make such drastic changes? "

The hon. Sir MAHOMED USMAN:—" I cannot promise, but I shall consider the suggestion."

Proposals of the Government for the permanent retention of the posts of Inspectors of Motor Vehicles.

* 633 Q.—Khan Sahib SYED TAJUDDIN SAHIB Bahadur: Will the hon. the Home Member be pleased to state—

- (a) whether the Government have decided to retain the posts of Inspectors of Motor Vehicles permanently;
- (b) if so, what the cause is for the delay in giving effect to the decision of the Government; and
- (c) whether they are to be in the grade of Inspectors of Police?

A.—(a) A final decision has not yet been taken in the matter.

(b) Certain details as a result of the reorganization of the staff are under consideration.

(c) It has been decided that Motor Vehicles Inspectors should in future form part of the Police Subordinate Service and that their pay should be the same as that of Inspectors of Police.

Education

Report of the Muslim Education Committee.

* 634 Q.—Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur: Will the hon. the Minister for Education and Excise be pleased to state—

- (a) when the report of the Muslim Education Committee appointed by the Government was submitted;
- (b) whether orders of the Government have been passed on all the recommendations made by the Committee;

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(c) whether the recommendations of the Committee were unanimous;

(d) whether the Director of Public Instruction who was the President of the Committee, made any special recommendations on any of the points raised in the report, as Director of Public Instruction; and

(e) if so, what they are?

A.—(a) In March 1932.

(b) Orders have been passed on the question of providing religious instruction for Muhammadan pupils. The other recommendations are under consideration.

(c) The report was signed by all the members of the Committee, and there was no dissenting minute.

(d) In his covering letter when submitting the report to the Government, the Director of Public Instruction gave his own views on the various recommendations made in the report.

(e) These recommendations were intended only for the information of the Government and it is not considered desirable to disclose them at least until final orders are passed on the report as a whole.

Alleged attack on Islam in the publication by Mr. L. Srinivasa Ayyar, Tamil Pandit, Government College, Coimbatore.

* 635 Q.—MR. BASHEER AHMED SAYEED: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether the attention of the Government has been drawn to the publication by one L. Srinivasa Ayyar, Tamil Pandit, Government College, Coimbatore, in which the Prophet of Islam has been scurrilously attacked and reviled, particularly in the ninth chapter thereof;

(b) whether the Government or the Director of Public Instruction received any representation from the Muslims of Coimbatore and other places about the publication by L. Srinivasa Ayyar of the Coimbatore Government College and protesting against the allegations in the said publication;

(c) if so, what action has been taken by the Government or the Director of Public Instruction on the said petitions or representations and to what effect;

(d) whether the said publication is prescribed as a text-book in Tamil for the fourth form in the high schools in the Coimbatore district; if so, by whom has it been prescribed;

(e) whether the said publication has been approved of by the Text-Book Committee or by any sub-committee thereof;

(f) if so, who constituted the committee by which the said publication was passed and who the Muslim members present were when the committee approved of the publication; and

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(g) what action the Government have taken and propose to take to have the said publication proscribed?

A.—(a) & (b) Representations have been received from Anjumane Nounihalane Islam, Coimbatore, regarding certain alleged objectionable passages in a book written by L. Srinivasa Ayyar.

(c) & (g) The matter is receiving attention.

(d) The book has been prescribed as a text-book for Form III in the school department of the Government College, Coimbatore, and in the Government Secondary and Training School for Women, Coimbatore, by the heads of the institutions concerned.

(e) Yes.

(f) The Text-Book Committee is constituted under the orders of Government.

Government have no information as to the actual members present at any particular meeting of the Text-Book Committee and do not consider it necessary to call for it.

Duties of the Superintendent, Connemara Public Library, Madras.

* 636 Q.—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Minister for Education and Excise be pleased to state—

(a) what the duties of the Superintendent in the Connemara Library are; and

(b) how many assistants he has?

A.—(a) There is no such officer as 'Superintendent' in the Connemara Public Library. The Superintendent of the Government Museum is also Principal Librarian of the library. There is a librarian under him. As regards the duties of these officers, the hon. Member is referred to G.O. No. 2160, Education, dated the 22nd October 1929, and the rules annexed to it which have been placed at the disposal of the Press.

(b) The librarian is assisted by the following staff:—

A sub-librarian.

An accountant and cashkeeper.

Three clerks.

Six attendants.

Public Health.

Stoppage of relief rendered by the Taluk Board, Kasaragod, to sufferers from snake-bite.

* 637 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the hon. the Minister for Local Self-Government be pleased to state whether it is a fact that the Local Government have ordered the stoppage of relief

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to sufferers from snake-bite afforded hitherto by the taluk board of Kasaragod; if so, for what reasons?

A.—The Kasaragod Taluk Board was incurring expenditure in connexion with the employment of a snake-bite curer. As the snake-bite curer was unqualified and as it is not possible for the Government to distinguish between those who are genuine curers and those who are not, they informed the taluk board that no further expenditure should be incurred in this behalf and that the services of the curer should be dispensed with. The president, taluk board, has asked for a reconsideration of the orders of Government. The matter is under consideration.

Mr. U. C. SUBRAHMANYA BHATT:—"May I know whether the Government have called for or received any report from the taluk board as to the number of cases of snake-bite?"

The hon. the RAJA OF BOBBILI:—"Long ago the Government received a representation from the taluk board."

Mr. U. C. SUBRAHMANYA BHATT:—"May I know whether it is the opinion of the taluk board that he is not a genuine snake-bite curer?"

The hon. the RAJA OF BOBBILI:—"In the case of local boards, the Government, while sanctioning expenditure from public funds for unqualified persons, must be assured that the remedy is genuine."

11-15
a.m.

Mr. U. C. SUBRAHMANYA BHATT:—"May I know whether any report has not been called for before making them not to incur the expenditure from taluk board funds?"

The hon. the RAJA OF BOBBILI:—"It was considered necessary to call for a report and now the District Medical Officer has been consulted and we are expecting his report."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"May I know, Sir, what the opinion was of the District Medical Officer who was consulted?"

The hon. the RAJA OF BOBBILI:—"He was consulted and we are expecting his report."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Was he consulted before?"

The hon. the RAJA OF BOBBILI:—"He had been consulted before but not on this point."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"What was the point, Sir, on which he was consulted?"

Mr. U. C. SUBRAHMANYA BHATT:—"May I know whether the matter would receive the sympathetic consideration of the Government?"

The hon. the RAJA OF BOBBILI:—"It is not a question of sympathetic or unsympathetic consideration, but it is as to whether the cure is genuine or not that the Government must first satisfy themselves."

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Irrigation

Mr. Priestley's report on the Tungabhadra Project.

* 638 Q.—The KUMARARAJA OF VENKATAGIRI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have received the report of Mr. Priestley regarding the Tungabhadra Project; and

(b) whether the Government will be pleased to place it on the table of the House before passing final orders on the matter?

A.—(a) Two preliminary reports have been received from Mr. Priestley.

(b) The question will be considered when a final report is received from the Irrigation Development Board.

Stoppage of the preliminary work started in connexion with the Tungabhadra Project.

* 639 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Member for Revenue be pleased to state—

(a) whether the preliminary work started in connexion with the Tungabhadra Project has been stopped now;

(b) if so, why and for what reasons;

(c) whether a copy of the order passed in the matter will be placed on the table; and

(d) what the amount spent over this work so far is?

A.—(a), (b) & (c) The answer to (a) is in the negative.

(d) Information has been called for.

Prices and Wages

Collectors' reports regarding the economic and seasonal situation in the districts.

* 640 Q.—Mr. G. LAKSHMANA REDDI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government recently called for reports from the various District Collectors regarding the economic and seasonal situation in the districts in the Presidency with a view to afford land revenue relief; and

(b) if so, whether the Government will be pleased to place those reports on the table of the House?

A.—(a) & (b).—The attention of the hon. Member is invited to the answer to question No. 630.

Mr. A. RANGANATHA MUDALIYAR:—“In view of the fact that the Government independently and on the basis of the reports received from

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the Collectors had decided to give larger remissions in the case of certain districts, will the Government now be pleased to revise their last order and grant remissions on a higher scale? ”

The hon. Sir ARCHIBALD CAMPBELL :—“ I am afraid I cannot answer that question now.”

Mr. A. RANGANATHA MUDALIYAR :—“ Is the matter under consideration, Sir? ”

The hon. Sir ARCHIBALD CAMPBELL :—“ Yes.”

Proposals of the Collector of Salem for remission of land revenue.

* 641 Q.—MR. K. A. NACHIYAPPA GOUNDER: Will the hon. the Member for Revenue be pleased to state—

(a) what report the Collector of Salem district made in the matter of remission of land revenue; and

(b) whether a copy of the report will be placed on the table?

A.—(a) & (b) The attention of the hon. Member is invited to the answer to question No. 630.

Police

Expenditure for bandobust in Nandyal and Atmakur in regard to procession before the mosque.

* 642 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the hon. the Home Member be pleased to place on the table of the House—

(a) the extra expenditure that the Government had to incur every time in 1933, for making bandobust in Nandyal and Atmakur in connexion with procession before the mosque; and

(b) the reports called for in 1933 regarding the acts of the police with regard to the Muslims of Nandyal?

A.—(a) The Government have no information but have called for it.

(b) The petition^a received from certain Muslims of Nandyal in October 1933 is placed on the table of the House. As regards the allegations made therein, the District Magistrate has reported that—

(1) The allegation that the District Magistrate had been told that the Muslims intended to appeal against the order of the District Munsif is untrue.

(2) There was no indiscriminate arrest of persons. The total number of persons arrested was only seven of whom four were Muhammadaus and three Hindus. Some had previous convictions and two others had been previously charged with assaulting constables on duty. The arrests were made

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under section 107 (3), Criminal Procedure Code, and the arrested persons were all released within 24 hours.

- (3) The allegation that the Muhammadans were ill-treated, that the purdah of their females was dishonoured and that they were prevented from answering calls of nature because people had been placed on the tops of Muhammadan houses is entirely untrue. No Muhammadan, whether man or woman or child, was ill-treated or molested. The entire street was placed in charge of a Muhammadan Sub-Inspector of Police and the District Magistrate himself was present throughout the procession. Every care was taken to see that perfect discipline was maintained and nobody had any legitimate ground for complaint. With the exception of the seven persons who were arrested, no one was prevented from attending to his ordinary avocations and no Muhammadan was stopped from going to prayers. The procession was timed in consultation with the Taluk Magistrate who is a Muhammadan so as not to interfere either with the afternoon or evening prayers of the Muhammadans and the Taluk Magistrate himself was posted at the disputed mosque so that Muhammadans might have full interfere either with the afternoon or evening out at the end of prayers. As regards placing people on house tops, in view of past experience, it was found necessary to post look-outs to watch for Muhammadans collecting in by-lanes and open places and creating disturbances. Such look-outs were posted on the tops of nine houses along the principal streets and only two of them were Muhammadan houses. The owners of those two houses raised no objection to the posting of look-outs on the tops of their houses, and no inconvenience was caused to the inmates.
- (4) The allegation that the Assistant Superintendent of Police rebuked the Muhammadan gentlemen who had gone to the District Superintendent of Police to make certain representations is also untrue. The Assistant Superintendent of Police merely translated to those gentlemen the reply of the District Superintendent of Police which was to the effect that those who behaved quietly had nothing to fear but that those who were out for mischief should be careful.

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Mr. ABDUL HAMEED KHAN:—"In view of the seriousness of the allegations that have been made, will the Government consider the advisability of instituting an independent enquiry, apart from what the Collector himself says?"

The hon. Sir MAHOMED USMAN:—"There is no necessity for any enquiry. Allegations have been made and they have been repudiated in the report of the District Magistrate, and all these allegations have been proved to be false."

Mr. ABDUL HAMEED KHAN:—"I find that the allegations have been made against the officers of the district. Any useful purpose cannot be served by merely calling for report from the same persons against whom the allegations are made. Will the Government therefore consider whether it is not advisable to institute an independent enquiry?"

The hon. Sir MAHOMED USMAN:—"I do not think any independent enquiry is necessary, Sir."

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—BUSINESS DURING FEBRUARY AND MARCH SITTINGS OF THE COUNCIL.

* The hon. Sir MAHOMED USMAN:—"Mr. President, Sir, with your permission, may I mention for the information of the House that, besides the days fixed in connexion with the discussion of the Budget, the House is likely to meet for the transaction of official business on the 27th and 28th February and the 1st March, and also on the 8th and 9th March?"

Diwan Bahadur B. MUNISWAMI NAYUDU:—"May the House have some information as to what the nature of the business is that is likely to engage the House?"

* The hon. Sir MAHOMED USMAN:—"The Local Boards Bill, the Central Land Mortgage Banks Bill and the Tolls Bill."

III.—A BILL TO AMEND THE MADRAS IMPARTIBLE ESTATES ACT, 1904 (BILL No. 17 OF 1933)—A. V. BHANOJI RAO.

Clause 4.

Section 9.

The House then resumed discussion of the Bill to amend the Impartible Estates Act (Bill No. 17 of 1933). Consideration of the amendment^a of Mr. Muniswami Nayudu to clause 4 (section 9) was continued.

^a Clause 4.

Section 9.

Diwan Bahadur B. MUNISWAMI NAYUDU:—

For clause 4 of the Bill, substitute the following:—

"Nothing in this Act shall affect or prejudice the rights of the creditors or of the members of the family of the person from whom the estate is acquired by exchange or purchase."

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* Diwan Bahadur B. MUNISWAMI NAYUDU:—" Mr. President, Sir, the other day it was understood that the Advocate-General would examine the amendment of which I had given notice and which I moved, and also give his own draft. But I find from the reply he gave to the hon. the Raja of Bobbili that he thinks the amendment is unnecessary but that he has no objection to put it in the form of a proviso to the section. I do not know, Sir, if the Government intend to propose such a proviso."

The hon. the RAJA OF BOBBILI:—" Has the amendment been moved, Sir? "

* The hon. the PRESIDENT:—" It was moved and seconded the other day."

* The hon. the RAJA OF BOBBILI:—" I am afraid, Sir, I have to oppose the amendment now. This question has been threshed out at length on the first day. As far as I am concerned, my difficulty is to protect the unsecured debts. In the case of the previous Impartible Estates Acts passed by this House, the debts incurred by the owner of the impartible estate have been protected. In this case, the Advocate-General has already stated in the previous discussion that as regards secured debts this Bill does not propose to make any change. But as regards unsecured debts, if such a provision is made, the proposed amending Bill will be a dead letter, and I am afraid no estate owner is likely to buy or sell properties under this Act. Even ordinarily, if I purchase immovable property, I buy it subject to the mortgages or secured debts. If protection is to be given to unsecured debts, then it will be impossible to have any legal finality to these transactions. I therefore have to oppose this amendment."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—" I am sorry, Sir, for the attitude taken up by the hon. the Raja of Bobbili. It has been urged here that the Bill as it is, if passed, will seriously affect the unsecured creditors of the person whose property is purchased or exchanged. I pointed out that in all the previous amendments of the Impartible Estates Act there has always been a provision saving the case of those creditors who are entitled to proceed against the property before the property is made impartible. No such provision is made here. In the two latest Acts also making certain estates impartible, the one relating to Mr. Muthu Chettiyar's estate and the other relating to the Sevalpatti estate, this provision is found. Now, Sir, with regard to my amendment, we have only to proceed upon the statement of the hon. the Advocate-General that certain rights will be protected even if we do not make a special provision in that behalf. I do not think that in a Bill of this far-reaching character, we should merely stand upon the opinion of the Advocate-General alone because, after all, the courts may form their own opinions and might hold that the effect of this Bill would be really to affect the interests of the unsecured creditors. The objection raised by the hon. the Advocate-General was that the Bill

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would not affect such rights and therefore such a provision as is contemplated by my amendment is unnecessary. But what we on this side feel is that while the opinion of the Advocate-General is that such a provision is unnecessary, we only want that the Legislature should definitely state that the object of the Bill is not to affect such rights but only to carry out the original object of the Bill, that is, to make the estate impartible and allow exchange of portions thereof, etc. So far as the Advocate-General is concerned, he said that in his opinion it might be unnecessary, but that it would not be wrong because it would be by way of caution to prevent disputes later on. I see the anxiety of the hon. the Raja of Bobbili, that whenever he purchases properties, he wants to make them impartible, but he does not want to take any risks with regard to unsecured debts. He does not want that anybody should come forward and say, 'you may purchase the property, but my rights are not to be affected.' That is what this amendment provides, and if it is passed, it will be only carrying out the opinion of the Advocate-General. He seems to think that if this amendment is passed, the whole Act would become a dead letter; if I may use his own words I am afraid that if this provision is not included, it would be open to him to stand up and say, 'the Bill is passed and whatever further rights are going to be affected or not, I am going to get a clear title to the purchased property.' If that is so, then I must strongly object to this House sanctioning the Bill because while the Advocate-General seems to think that the provision will not affect others' rights, the hon. the Raja of Bobbili thinks that it will affect. I think, Sir, it is not a fair way of treating this House or the creditors who advanced money on the properties now sought to be exchanged or sold by estate owners. The only proper thing to do would be to protect the rights of all parties interested in the estate. What I say is that, while on your side you see that the property is made impartible, while the hon. the Revenue Member is anxious that the rights of the zamindars are not affected, we representing the general public are anxious that the people who lent money on the property are not to be prejudicially affected. So, we merely ask that a provision to that effect should be put in there, so that we need not merely rely on the opinion of the Advocate-General, but have a specific section that, while the Act protects the rights and interests of the zamindar, it will not adversely affect the rights of the creditors who lent money to the vendors.

"I want to mention another important point. So far as this Act is concerned, the provision is that the zamindar should apply to the Collector. The Collector, as the hon. the Revenue Member put it, would not care to consider any other thing except whether the transaction is advantageous to the estate. He does not go into the question as to which other interests are going to be affected. As soon as a transaction is entered into the zamindar has only to complete the transaction by seeing that the money is paid and the sale-deed is executed, so that, so far as the zamindar is concerned, he receives the money and can say openly and publicly 'I applied to the Collector, he gave sanction to the transaction, I paid the

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money before the sub-registrar and I have got the estate. No other claim is to be raised on it.' The other man, seller, gets the whole money, pockets it, and can say to the creditors 'I have no money to give you. You do as you please.' So, the effect of the Bill is to protect the zamindar so far as any fraudulent transaction is concerned, but not to protect at all any of those who on the strength of this property being available had advanced money. So, Sir, I think it will be the height of injustice to pass a Bill of this sort, however much they may be anxious to help the zamindars in protecting their interests."

The amendment was put and declared lost. A poll was demanded and the House divided thus:

Ayes.

- | | |
|---|--|
| 1 Mr. K. R. Venkatarama Ayyar. | 11 Rao Bahadur P. C. Muthu Chettiyar. |
| 2 Rao Bahadur T. A. Ramalingam Chettiyar. | 12 Mr. M. A. Manikkavelu Nayakar. |
| 3 Diwan Bahadur B. Muniswami Nayudu. | 13 J. Kuppuswami Choudari. |
| 4 Mr. K. P. Raman Menon. | 14 " Mahboob Ali Baig. |
| 5 " A. Ranganatha Mudaliyar. | 15 " Abdul Hameed Khan. |
| 6 Khan Bahadur Mahmud Schamnad Sahib Bahadur. | 16 " U. C. Subrahmanya Bhatt. |
| 7 Mr. V. T. Arasu. | 17 " K. A. Nachiyappa Gounder. |
| 8 " A. B. Shetty. | 18 " G. R. Premayya. |
| 9 " P. V. Krishnayya Choudari. | 19 " K. Pattabhiramayya. |
| 10 Khan Bahadur P. Khalif-ul-lah Sahib Bahadur. | 20 " P. M. Thangal. |
| | 21 " K. Ahmed Meeran. |
| | 22 Rao Bahadur R. K. Venugopal Nayudu. |
| | 23 Mr. C. Krishnan. |

Noes.

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| 1 The. hon. Khan Bahadur Sir Mahomed Usman. | 20 Mr. H. M. Jagannatham. |
| 2 " Diwan Bahadur Sir M. Krishnan Nayar, Kt. | 21 Rao Bahadur D. Krishnamurti. |
| 3 " Sir Archibald Campbell. | 22 Rao Sahib P. Subrahmanya Chetti. |
| 4 " Sir Hopetoun Stokes. | 23 Subadar-Major S. A. Nanjappa Bahadur. |
| 5 " Diwan Bahadur S. Kumaraswami Reddiyar. | 24 Rao Bahadur R. Srinivasan. |
| 6 " Mr. P. T. Rajan. | 25 Rao Sahib V. I. Muniswami Pillai. |
| 7 " the Raja of Bobbili. | 26 Mr. M. Vedachala Mudaliyar. |
| 8 Mrs. K. Alamelumangathayaramma. | 27 " G. Sriramulu. |
| 9 Zamindar of Bodinayakkanur. | 28 " P. C. Moses. |
| 10 Diwan Bahadur V. N. Viswanatha Rao. | 29 " P. V. Rajagopal Pillai. |
| 11 Mr. J. A. Thorne. | 30 Rao Sahib C. Jayaram Nayudu. |
| 12 " H. M. Hood. | 31 Diwan Bahadur A. Appadurai Pillai. |
| 13 " R. Madanagopal Nayudu. | 32 Rao Sahib D. V. Narasimhaswami. |
| 14 " E. Conran Smith. | 33 Khan Bahadur T. M. Moidoo Sahib Bahadur. |
| 15 " A. V. Bhanoji Rao. | 34 Mr. K. Kesavaramamurti Nayudu. |
| 16 " M. D. T. Ranganatha Mudaliyar. | 35 " A. Ramakrishna Reddi. |
| 17 " T. Narasa Reddi. | 36 " J. K. Metherell. |
| 18 " K. C. M. Venkatachala Reddiyar. | 37 " Mr. W. W. Ladden. |
| 19 " M. Devadasan. | 38 " R. M. Palat. |
| | 39 " C. Basu Dev. |
| | 40 " M. B. Rangaswami Reddi. |
| | 41 Rao Bahadur Sir A. P. Patro, Kt. |
| | 42 " C. Natesa Mudaliyar. |

Ayes 23.

Noes 42.

The amendment was lost.

The hon. Sir ARCHIBALD CAMPBELL:—"I beg to move that clause 4 be omitted."

11-30 a.m.

[5th February 1934]

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I second it."

The amendment was put and carried.

The Preamble was then put and carried.

Mr. A. V. BHANOJI RAO:—"Mr. President, Sir, I move that the Bill, as amended, be passed into law."

Mr. C. BASU DEV:—"I second it."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"I oppose it. Sir, when the Bill was introduced, I was one of those who supported the principle of it. This Bill is designed to create more impartible estates than are existing at the present time. It is designed to enable impartible estates holders to add to their estates by purchase or otherwise. I do not think any one in this House will object to the principle of the Bill. But in a matter of this sort, the Government should have stayed their hands and held the scales even between the interests of the estate holders and the other people interested. It has been stated on the floor of this House by the hon. the Revenue Member that the Government would allow the Bill to go through. Is it not the duty of the Government to consider to what extent this Bill will affect the interests of the creditors of these estates? Is it not their duty to protect the rights of those people? Has the Collector been vested with full power to protect the rights of people who have advanced money on the security of these estates? The Government, with a view to vest absolute title in others, have got powers under the Land Acquisition Act, etc. In those Acts provision exists to protect the interests of people on the property to be acquired and, in certain cases, a certain proportion of the purchase value is required to be deposited in court. We do not find any such provision here. On the other hand the hon. the Revenue Member openly said in this House that he would resist every attempt to saddle the Collector with further duties in this matter. Is it not right to protect the interests of persons who have advanced money to these estate holders? We moved amendments to safeguard their interests. In the opinion, however, of the Advocate-General, who unfortunately is absent today, a provision similar to that found in section 7 of the original Act, is not necessary here. The effect of the amended Bill is that as soon as the purchase is completed or the exchange is effected, the property would become impartible for all the purposes of the Impartible Estates Act of 1904. The property could not thereafter be alienated or sold by the court. Section 5 of the Act mentions the kinds of debts that would be binding on the estate of the members of a joint family. After an estate is acquired under this Act it becomes inalienable under section 4 and no court can proceed against it. But the Advocate-General says that the rights of all persons will not be affected and that they will be entitled to proceed against the property. The rights of the decree-holders are ignored. It is said that these decree-holders can attack the transaction on the ground of fraud obtaining a certificate from the Collector. I feel that this is not the case. Whatever may be the effect of this Bill on new properties, it is absolutely ignoring the rights of persons who have lent moneys. The spirit with which this

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Bill is tried to be passed by the hon. the Raja of Bobbili who can be said to be the representative of the landed classes is clear when the Raja said that the effect of my amendment will be to make the Bill a dead letter and leaving persons aggrieved to seek their own remedies. That ought not to be the spirit with which this Bill ought to be passed. This is, in its nature, a private Bill intended to protect private interests; but in doing so it should safeguard the interests of those concerned with the estates. I appeal to the hon. the Revenue Member and to the hon. the Law Member also to see that, though this Bill is passed with the majority behind them, before His Excellency gives his assent to it, the provisions there should be very carefully considered and if necessary the interests of thousands of people who have advanced money on these securities are secured."

* Rao Bahadur Sir A. P. PATRO:—"Sir, it is a pity that the hon. Member who is ordinarily a very clear thinker should get confused in this very simple matter. This is a simple matter intended to facilitate the exchange or purchase of impartible estates. The hon. Member has been very vehemently saying that the interests of money-lenders who have advanced money to these estates have not been safeguarded and therefore the Bill ought not to be passed by this House. He forgets that the object of the Bill is only to enable impartible estate-holders having properties far and away from their main holdings to dispose of them and buy estates or parts of estates in their vicinity with a view to help them to manage their property well. That is all the object of this Bill. As regards the interests created by people who have lent money to these estates, their rights remain, as asserted by the Advocate-General. That being the case I do not see any point in the objection raised by the hon. Member.

"The hon. Member has laid emphasis on the fact that this is in the nature of a private Bill and that the Government ought not to help in passing it. It is not in the nature of a private Bill. It affects the interests of impartible estate-holders on whose behalf the Government passed the Impartible Estates Act of 1904. Section 4 of that Act does not at all stand in the way of any creditor enforcing his right in a partible property which has been taken in exchange. The two ideas are quite different and are not at all conflicting in their nature. I therefore do not see any objection to the passing of this Bill."

The motion was put and carried and the Bill was passed into law.

IV.—THE PERIYAR IRRIGATION TANKS (PRESERVATION) BILL (BILL No. 16 OF 1933).

* The hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, I beg to present the report^a of the Select Committee on the Periyar Irrigation Tanks (Preservation) Bill, Bill No. 16 of 1933, and move that the Bill, as amended by the Select Committee, be taken into consideration."

^a Printed as Appendix VI on pages 556—569 infra.

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The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I second it."

Mr. ABDUL HAMEED KHAN:—"Mr. President, I move that the consideration of the Bill be adjourned. Sir, this motion has been necessitated by the fact that the Select Committee was not able to go through the question fully in the absence of the information showing the area irrigated under each tank falling within the scope of this Bill. This information has been supplied to the Council only to-day. If the Government wanted to facilitate the passing of this Bill, they would have certainly given sufficient data for the Select Committee to go upon. The absence of this information to the Select Committee was a handicap to them and the conclusions they have reached are therefore not what they would have been."

"My other reason for making this motion is that for the last 30 years the Government have not found the necessity for a measure of this kind. What is it that has now compelled them to come forward with this measure? Then again, I know as a matter of fact that there was absolutely no opportunity to the people concerned to state their objections to this Bill. As hon. Members are aware the people who will be mostly affected by this Bill are the inamdars holding temple lands and lands belonging to Muslim religious institutions."

11-45
a.m.

"In view of these circumstances I would very much like that some more time is given for the people whose rights are sought to be taken away, or whose rights are sought to be restricted, so that they may consider the pros and cons of this question; and then it will be in the interest of things, after that, that this question is brought forward."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the motion and in doing so spoke in Tamil.

"இந்த பில்லை லெஜிஸ்லேடிவ் கவுன்சில் அடுத்த செஷனுக்கு ஆலோசனைக்கு கொண்டுவரவேண்டும் என்பதை ஆமோதிக்கிறேன்."

"இந்த பில்லுக்கு அவசியமான இன்வஸ்டிகேசன் செய்து போதுமான ஸ்டாடிக்கஸ்களும் கைவசம் கிடையாது. அவைகளை சிலக்ட்டு கமிட்டி மீட்டிங்கிலும் ஆஜர் செய்யவில்லை. மறுமத்து இல்லாதது இன்னது இன்னவிதமான மறுமத்து என்பது சொல்வதற்கில்லை."

"தெரிந்தவரை 1896-ம் வருஷத்திலிருந்து சுமார் 38 வருஷமும் புரோப்ரைட்டரி குளங்களுக்குத் தண்ணீர்விட்டு ஏராளமான துகைகளை பூராவும் கவர்ன்மெண்டாரே அடைந்து அவைகளுக்கு இனம்தாரே பூரூ மறுமத்துகளும் செய்து வந்து சரியான நிலைமையில் வைத்திருக்கிறார்கள் என்பதில் சந்தேகமில்லாதிருக்கிறது."

"இதுவரை மிஸ்டர் ஹால் துரை அவர்கள் ஸ்பெஷல் ஆபிசருக நியமித்த போது அவர் தீர்க்கமாக விசாரணை செய்து குளங்களை பார்த்தவர்கூட இனம் குளங்கள் நல்ல ஸ்திதியில்லையென ஒரு குளம்கூட உதாரணம் கொடுக்க கூடாத ஸ்திதியிலிருந்து இந்த பில் வருவதற்கு வேண்டிய அவசியமான காரணங்கள் இன்னும் பரியாலோசனை செய்யாமல் இப்போதே வருவதற்கு தகுந்த காரணமில்லை. அன்னியில் மிஸ்டர் ஹால் ரிப்போர்டிலிருந்து என்ன ஏற்படுகிறதென்றால் மாமூல் நஞ்சைகளுக்கு கண்மாய்களை சரியான ஸ்திதியில் வைக்கும்படி புரோப்ரைட்டர்களை கட்டாயம் செய்ய இப்பொழுது சட்டம் எஸ்டேட் லாண்டு ஆக்ட் 135 செக்ஷன்கள் இருந்தபோதிலும் குளத்து ஜலத்துக்கு யாதொரு பாத்தியமில்லாமல் நெடு நாளாக புஞ்சை சாகுபடி செய்யப்பட்டு"

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வந்த நிலங்களுக்கு தாத்காலிகமாக டெம்பரவரியாக விடப்பட்ட பெரியார் ஜலத்தினாலும் நஞ்சை சாகுபடி செய்யப்பட்டவர்களுக்கு புரோப்பரைட்டர் குளத்திலிருந்து சாகுபடி செய்ய பாத்தியமில்லாது இருக்கிறதென்று அதற்கு ஒரு சட்டம் ஏற்படுத்தவேண்டுமென்றும் வெளியாகிறது.

“இப்படி செய்கிற சட்டத்தினால் கவர்ன்மெண்டுக்கு நிச்சயமாய் கிடைக்கவேண்டிய ஆதாய துறைக்காக மாத்திரம் இனாம்தார் புரோப்பரைட்டர்களுக்குரிய பாத்தியதையில் பிரவேசிக்க ஏற்படக்கூடியதாயும் பில்லின் அதிகாரம் மிகவும் கொடுமையாகவுமிருக்கிறது. ரயில்வே புரடக்ஷன் ஆக்ட், எஸ்டேட்ஸ் லாண்டு ஆக்ட் இவைகள் நிபந்தனைகளின் கஷ்டத்தை அனுபவித்துக்கொண்டிருக்கும் இனாம்தார் புரோப்பரைட்டர்களுக்கு மேலும் கஷ்டத்தை உண்டுபண்ணக்கூடியதாயிருக்கிறது. புரோப்பரைட்டர்களுடைய பாத்தியதையில் இந்த பில் மாதிரி பாதிக்கக்கூடிய பில் இதுவரை எந்த பிராஜெக்டிலும் ஏற்படாததாலும் முன் மிமோரியல் எழுதியனுப்பியுள்ளவர்கள் கோரிக்கைப்படி சிலக்கட்டு கமிட்டி மதுரையில் வந்து விசாரித்து செய்யவேண்டும் என்பதை ஒத்துக்கொள்ளாமல் பில்லை பாஸ் செய்ய வந்திருப்பது நியாயமில்லை.

“இந்த பில் சம்பந்தமாக பூறு ஆலோசனை செய்வதற்கு செலக்ட்டு கமிட்டிக்கு போதுமான விஷயமும் காலமும் கிடைக்கவில்லையாகச்சே மருபடியும் கமிட்டிக்கு அனுப்பி கமிட்டியில் சிலர்களையாவது மதுரையில்போய் இனாம்தார்கள் வகையருவை விசாரித்தும் மற்றவர்களை விசாரித்தும் இதுவிஷயமான பூறு விபரங்களுக்கும் தெரிந்து ஓர் ரிப்போர்ட்டு சகிதம் அனுப்பும்படி செய்தால் பூறு விபரங்கள் தெரிந்தால் சிலக்கட்டு கமிட்டியும் வேறு விதமாக நியாயம் கண்டுபிடிக்கக்கூடும். அன்னியில் மிஸ்டர் ஹால் துரை அவர்களும் இதற்குள் வந்துவிடுவார்களாகச்சே அடுத்த செஷனுக்கு தள்ளிவைக்கவேண்டுமென்பது நியாயம் என்றும் கவர்ன்மெண்டுக்கும் பொருத்தமானதென்று நினைக்கிறேன்.”

* Mr. V. T. ARASU :—“ Mr. President, Sir, if I rise to speak on this motion and support it, it is not with the view to obstruct the passage of this measure. On the other hand I welcome this measure for several reasons. As was pointed out by my hon. Friend, Mr. Muthu Chettiyar, who represents the Madura district, the Select Committee has not been furnished with information and data on several points regarding the project. From the tanks which I had with some of the Members of the project. From the talks which I had with some of the Members—I understand that the Select Committee was not furnished with information on several important points, that vitally concern this measure. The information which this House would expect Government to supply is as to whether, during the past 38 years, that this system has been in vogue, have Government experienced any difficulty in supplying water regularly to the ryots holding lands under the ayacut of these tanks? It was in 1896 that this system was inaugurated. Since then Government have been making use of these proprietary tanks without the express consent of the landholders and have been supplying water not only to lands registered as wet, but also to large tracts classified as dry. I want to know definitely from Government, whether, during these 38 years, they have found any instance of tanks being neglected to such a large extent as to cause damage to the Periyar project. I expect a straight answer from the Government to this. From reports that I have had from certain landholders, and from a perusal of the report of Mr. Hall, who was appointed as special officer to go into this question, I do not find even

[Mr. V. T. Arasu]

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a single instance of any proprietor neglecting to keep his tank in such a state of disrepair as to cause damage to the Periyar scheme. When that is so, where is the urgency to rush this measure through?

"It should be remembered that Mr. Hall was for several years Collector of Madura; and he was also the special officer who investigated this matter. This Gentleman has been nominated as the Expert Member of this House on this Bill. But it is unfortunate he is not here to-day; in fact he is away from India; I believe he will be back in Madras about July next; and so I would request the hon. the Revenue Member to postpone the further consideration of this Bill until such time as he returns to Madras, so that he may throw light on the several points on which this House needs enlightenment. I therefore request Government to see its way to postpone the consideration of this Bill until such time as Mr. Hall is back here."

MR. P. V. KRISHNAYYA CHoudARI:—"Mr. President, Sir, I oppose the motion moved by Mr. Abdul Hameed Khan that the consideration of the report of the Select Committee be adjourned to the next meeting of the Council, and that for the following reasons. As one who was a Member of the Select Committee, I wish to state, at the very outset, that in the Select Committee itself we have already discussed this matter in detail. Mr. Hall was a Member of the Select Committee, and on the very first day of its sitting, he explained very lucidly and in detail the necessity for this Bill, and subsequently, we felt, on the motion to postpone the further consideration of this Bill to a later date, brought forward by Mr. Muthu Chettiyar, that there was no such necessity at all.

"The present Bill is in the interests of the ryot population. It is to their benefit that the Government have now come forward with this Bill, and so without any hesitation and delay it should be availed of. As a matter of fact, even in the Estates Land Act we should have such a measure introduced for the improvement of the tanks, and I hope the time will not be far off, when a similar Bill is brought forward for the proprietary estates. So, really we should be grateful to Government for this piece of legislation, and hence I consider that it is not desirable on our part to ask for the postponement of the further consideration of this Bill. I would again request Government to introduce similar legislation to other parts of the Presidency, where tanks are not repaired by zamindars, as for example in the Nellore district and the Venkatagiri zamindari area. When Government have come forward with a piece of legislation for the benefit of the ryots, I do not see any reason why we should not accept it. Therefore, I would request the hon. Mover to withdraw his motion."

* MR. K. R. VENKATARAMA AYYAR:—"Mr. President, Sir, coming as I do from the Madura district, I do not wish this matter to be disposed of without due consideration. So far as the Select Committee is concerned, we listened to what Mr. Muthu Chetti said. On the first point as was pointed out by Mr. Krishnayya Choudari, Mr. Hall himself

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was present in the Committee, and he explained at great length the need for this legislation. In fact, Mr. Hall has mentioned it as early as November 1930 in his report. In paragraphs 40 and 41 of Mr. Hall's report this matter has been dealt with. They run as follows:—

'40. Mr. Dowley has deferred to this question in his report wherein he says that the third cause of waste has been the failure to make full use of the available storage in the delta. Deltaic tanks get supply from Periyar, the Vaigai and their own catchments. There is a tendency to allow cultivation in the waterspreads thus reducing the capacity. This is absolutely wrong in principle and should not be allowed on any account. Another cause of inefficiency is due to the fact that many of the tanks are not provided with proper sluices and locking arrangements, the result being that when filled the water is allowed to run to waste almost at once. The tanks need control just like the channels. They form an essential part of the system and should not be allowed to deteriorate.

'41. Mr. Dowley is evidently referring to proprietary tanks. There is a certain amount of cultivation in the beds of tanks belonging to the Government either on lands registered as wet or on lands registered as special rate dry; but no extension of such cultivation is permitted'

"Lower down he says:

'to secure adequate control over these tanks legislation would be necessary. A short Bill dealing with the Periyar system alone would suffice. It need contain little more than provisions to the effect that, etc.'

"That is the model on which the present Bill is drafted.

"After sketching the sort of provisions which Mr. Hall said would require to be put in a short Bill he would up by saying in regard to the possibility of a legislation thus:—

12 noon

'I am however not in a position to advise the Government whether such a Bill which would have for its sole object an increase in the powers of Government to control the distribution of water in the proprietary area of the Periyar system would have a reasonable chance of being passed into law by the Legislative Council.'

"My Friend, Mr. Arasu, has even thought that my speech would be incomplete if I did not quote that paragraph from Mr. Hall's report. I am glad to be able to read that paragraph for the purpose of showing that the Bill is now actually before the House and that the apprehensions of Mr. Hall might not really come into play when the Bill is about to be passed into law.

"Sir, I do not understand my Friends who have moved the dilatory motions have it in their minds that this Bill is undesirable or mischievous. They do seem to concede as some of us coming from Madura feel that this Bill is a beneficial Bill and a necessary piece of legislation. Their only doubt appears to be whether the Select Committee which has sent up the report had before it all the data which have now been furnished to this Council and whether the absence of a tabular statement which has since been furnished did not affect the deliberations of the Select Committee. I must say that the delay in furnishing the tabular statement has really not affected the deliberations of the Select Committee. Even in the course of the deliberations of the Select Committee in deference to the point of view which was stressed by my Friend, Mr. Muthu Chettiyar, an offer was made to

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persuade the hon. the Revenue Member, if possible, into agreeing that the ratio so far as the charges of repairing are concerned should, if possible, be adjusted as two-thirds and one-third as between the Government and the proprietors. According to the Bill the entire proportion of cost of repairs attributable to average extent of dry area brought under irrigation, that is proposed to be borne by the Government. So far as the wet area is concerned, the Government propose, according to a rough working method, that they will bear one-half of the proportion attributable and the other half alone is thrown upon the shoulders of the proprietors of tanks. Now the tabular statement embraces as many as about 183 tanks. I find that the total number of tanks which come under the operation of this Bill are somewhere about 206. For about 183 tanks out of them figures have been supplied. In no single case out of these tanks has any proprietor to bear more than 50 per cent of the total cost of repairs. According to the law, as it stands now, under the Madras Estates Land Act, the entire cost of repairs to these tanks would fall upon the proprietors of these tanks. By reason of this Bill in regard to Periyar, non-Government tanks generally the Government come forward with an offer to bear in varying proportions the total cost of repairs and in no case do they have to pay less than 50 per cent of the total cost. I find that out of 183 tanks there are 27 tanks in which the proprietors are left to bear only less than 25 per cent of the total cost. The total area of ayacut which these tanks irrigate comes to somewhere about 3,150 acres. There are as many as 44 tanks with an ayacut of 4,550 acres in regard to which the proprietor is made to bear less than $33\frac{1}{3}$ per cent. In 139 out of these 183 tanks, with an ayacut of 12,350 acres, the proprietor is called upon to bear 50 per cent and the Government bears the other 50 per cent of the total cost of repairs.

“ Speaking in a general way under the present law the proprietor has to bear the whole cost of repairs, hereafter the Government bear in varying proportions, in some cases 50 per cent, in some two-thirds and in some three-fourths. It cannot be said that the offer of the Government is less than generous. No doubt it might not suit the proprietors of tanks. An attempt was made in the course of the deliberations of the Select Committee to persuade the hon. the Revenue Member to draw the line at two-thirds and one-third. I myself made an attempt. It was felt as representing the view of the general taxpayer of this Presidency that the Government had gone as far as they could and it would involve a further examination of all questions including the question of finance if Government had to revise their attitude along the lines suggested. In these circumstances, I do not think there is much to be gained by delaying the progress of this Bill. I would advise the Movers of the amendments, if possible, to concentrate their attention upon detailed amendments where they propose to enforce any other principle in regard to the distribution of proportion for which they might have warrant or even authority in

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Mr. Hall's report. I therefore suggest that they had better concentrate upon that and not press this motion. If perhaps there is voting strength for the Government, I do not think that there need be a trial on every occasion when we have to deal with motions of this kind. I think the Movers of the amendment would do well to withdraw their present amendments and focus attention upon the details of the proposals on their merits."

* The hon. Sir ARCHIBALD CAMPBELL:—"After the speech of my hon. Friend, the Chairman of the Select Committee, I do not think it is necessary for me to deal at any great length with the question whether the Members of the Select Committee have had sufficient time and adequate information to enable them to make a full examination of the proposals made in this Bill. There are however one or two points which I may refer to. The Mover of the motion asked why the Government brought forward this Bill after a lapse of over 30 years since the Periyar Irrigation System was brought into operation. We have tried, Sir, for a great many years, to get over these difficulties without having recourse to legislation, but it has been found impossible to do so. I suppose hon. Members appreciate the necessity of maintaining these tanks which form part of the system when there is short supply of water in the rivers, water can be stored in these tanks and from these reservoirs a large area of ayacut under them can be irrigated, while the water is passed lower down the supply channels to the tail-end land. When the tanks are in a bad condition, it will not be possible to store adequate supplies in them; water will be wasted and the irrigation of the tail-end fields will be inadequate. It is for that reason that we want to maintain these tanks and to keep them in good repair. My hon. Friend, Mr. K. R. Venkatarama Ayyar, read from the report of Mr. Hall. Mr. Hall's views are supported by other engineers:—"Many of these proprietary tanks are very large and very important—quite as important as any of the Government tanks. It has always been recognized that the tanks in the Periyar area are most important and it is most essential to keep them in good order. The system could not work without them." That, Sir, is the opinion of the present Superintending Engineer, Mr. O'Brien. He adds that ever since the system began we have done our utmost to keep the Government tanks in good order and very large sums have been spent by the Government in improving and repairing them. In the year 1929, an important memorial was received from the ryots of the Periyar system headed by my hon. Friend, the present Second Minister. I should like to quote from that memorial a few sentences to show the necessity for keeping these tanks in proper order. This is what the memorial states:—

'The rest 25 per cent of the grievances relate to the standing grievances, such as the ineffective regulation in the distribution of water in the tail-end of channels, etc. Ever since the introduction of the Periyar system of irrigation in the district, the tanks in that area have been either neglected or the lands in the tank-beds have been sold owing to the direct flow of water in the channels. Such tanks as are not sold may be restored to their original condition with a view to store water for purposes of irrigation or drinking-water for cattle in times of scarcity or emergency.'

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"It was in consequence of this memorial that Mr. Hall was put on special duty from whose report Mr. K. R. Venkatarama Ayyar quoted at length. After the receipt of that report—I am referring to the remarks made by my hon. Friend, Mr. Muthu Chettiyar, whom, I understood, to say that it was desirable for the Revenue Member to see the areas affected personally—I did go down to Madura and in company with Mr. Hall and the Executive Engineer visited some portions of the Periyar Irrigation System; so, I may say, that I am in a position to appreciate the difficulties of the ryots. After that I had a conference with the Collector and the Engineer at Kodaikanal at which the details of the present Bill were discussed. There might be certain difficulties in carrying out the proposals made in Mr. Hall's report, so, I wished to make our proposals as simple as possible. I hope that the House will be satisfied that I have already investigated this matter personally. I understood my hon. Friend, Mr. Muthu Chettiyar, to say that I might attribute certain unworthy motives to him in consequence of the attitude he has adopted towards this Bill. I fully appreciate his position in the matter. I can appreciate the fact that he acted quite rightly and properly in putting forward his view before the House and I did not and do not attribute any unworthy motives whatsoever to him."

12-15
p.m.

The motion was, by leave, withdrawn.

The question that the report of the Select Committee on the Periyar Irrigation Tanks (Preservation) Bill (Bill No. 16 of 1933) be taken into consideration was put and carried.

Clauses 1 and 2 were put and carried.

Clause 3.

* Mr. V. T. ARASU:—"I move—

'that in sub-clause (c) of clause 3, after the words "system of irrigation," the following words be added:—

"whose registered wet ayacut is 50 acres and more."'

"The clause as amended will read as follows:—

'(c) "tank" means any tank situated wholly or partly in an estate and used by the Government as part of the Periyar system of irrigation whose registered wet ayacut is 50 acres and more.'

"Sir, from the list of tanks supplied to this House only the other day, it will be found that there are about 180 tanks or so which are to be brought under this system. I understand from the speech of Mr. Venkatarama Ayyar that the number of tanks actually in that area exceeds 210. Whatever the exact number may be, from this list we find that even small tanks which irrigate only two acres are sought to be brought under the operations of this Act. If the hon. the Revenue Member would analyse the figures he has himself prepared he would find that nearly 100 of these tanks have an ayacut exceeding

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50 acres and all the other tanks are small tanks irrigating 5, 10, 15, 20 or 25 acres. Is it proper and just that these small tanks, which are tanks only in name and which should not be considered as tanks for the purposes of this Act, should also be brought under the operation of this Act? It is why I have suggested that only those tanks whose registered wet ayacut is 50 acres and more should be brought under the operation of this Act. I hope that my amendment will be acceptable to the House."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded it in Tamil as follows:—

“என்னென்றால் சிறிய கண்மாய்களை எல்லாம் இதில் சேர்க்கப்படாது.”

* The hon. Sir ARCHIBALD CAMPBELL:—“ Mr. President, Sir, I am afraid I must oppose this motion. The effect of this resolution would be to exclude some 91 of the 206 tanks which are affected by the present Bill. The question of which tanks should be maintained as part of the Periyar Irrigation System was carefully investigated some years ago by a special party of Public Works officers as a necessary preliminary to fixing the full tank levels of the tanks. The tanks which we have on the list have been definitely put there by our engineers as those which are necessary to be maintained as part of the system. It does not include every tank which happens to exist in the area, but only those tanks which we require for the purposes of the Periyar system. The question whether a tank happens to have a larger or a smaller ayacut does not affect the necessity for its maintenance as part of the system. If we remove the 91 tanks it will mean that we will have to revise our ayacuts and remove from it a certain number of fields which at present get the benefit of the Periyar water at the tail-end of the system.”

* Mr. K. R. VENKATARAMA AYYAR:—“ Sir, I do not think that this amendment is in the interests of agriculture which require that the whole of the 200 and odd tanks affected by this Bill should be maintained in an efficient condition. It will do nobody good to cut out of the Bill as many as 91 tanks even though their ayacut is 50 acres and less in each case. There is nothing to be gained by the proprietors of bigger tanks who may be considered to be effectively represented by my hon. Friend, Mr. Muthu Chettiyar. I do not say he does not represent the proprietors of smaller tanks; he represents all the interests involved although in a sense he represents the interests of the proprietors of bigger tanks more closely. But, no cry has been raised by the proprietors of smaller tanks which are as many as 91, or the ryots concerned to the effect that repairs to these tanks are any the less important or less necessary than repairs to the bigger tanks. In any case, the interests of agriculture will stand to be affected adversely by cutting out these 91 tanks. Therefore this amendment is hardly for the benefit of the persons affected by the irrigation system.”

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* Mr. V. T. ARASU:—"In spite of the speeches of the hon. the Revenue Member and the hon. the Member for the City of Madura, I still feel unconvinced. From the list, you will find that there are as many as 50 tanks with a registered wet ayacut of less than 10 acres. For instance, the Ammankulam tank has 2.05 acres, the Peria Kanmoi has 6.19 acres, the Soorakulam Kanmoi 6.18 acres, the Papankulam Kanmoi 9.6 acres, the Peekulam Kanmoi 4.95 acres, the Kondisetti kulam 4.41. More than 50 of these tanks have a registered wet ayacut of less than 20 acres and in most cases of only two, three or four acres. Is it fair that such small tanks should be brought under the operation of this irrigation system and the Public Works Department entrusted with the duty of making the necessary repairs to them? The maximum revenue that a landholder may derive from many of these small tanks will be not more than Rs. 10 per annum. But even a small repair which the Public Works Department may undertake to do will come up to Rs. 1,000. As against Rs. 10 which a landholder derives from a tank, he may at any moment be asked to pay as much as Rs. 500. Therefore, I feel there can be no justification for the Government including these small tanks which in fact are no tanks at all, which are called *kuttais* in Tamil, within the irrigation system. I appeal to the House to accept the amendment."

The amendment was put and lost.

* Mr. V. T. ARASU:—"Mr. President, I beg to move—

that the following sub-clauses be added to clause 3:—

"(d) 'efficient condition' means and includes 'a condition of the tank sufficient to make its storage capacity approximate to that required for the irrigation without the aid of the Periyar water of the land registered as wet under it.'

"(e) 'Court' in this Act means 'the Court of the lowest grade having territorial jurisdiction over the particular tanks concerned.'"

"The word 'efficient' has been introduced in the Preamble. As far as my knowledge goes, I do not think that in any legislation of the Local Government the word 'efficient' has been used. Therefore my object is to define the word in a manner so as to be understood easily by all people concerned. Section 135 of the Estates Land Act no doubt makes it obligatory on the part of a landholder to keep his tank in a state of repair so as to ensure a regular supply of water to the lands registered as wet in the ayacut. I am sorry that my hon. Friend, Mr. P. V. Krishnayya Choudari, and even such an experienced lawyer as Mr. K. R. Venkatarama Ayyar should have taken the analogy of the Estates Land Act and observed that what applied in the case of a landholder under the Estates Land Act would apply equally to a landholder in this case. Under the Estates Land Act, the Government make certain repairs when there is no agreement between the ryot on

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the one hand and the landholder on the other. But here in this case, the Government are one interested party and the landholder is the other interested party; and the question of the ryot does not come in at all. For the last 38 years, the Government have been utilizing these proprietary tanks for their own benefit, and as has been admitted by the hon. the Revenue Member himself, during these 38 years they have not spent a pie towards the repair of these tanks. These tanks have been kept in repair only by their respective proprietors. I fail to see how the position of a landholder under the Estates Land Act can be said to be analogous to the position of a landholder under the Bill now under discussion. Under section 135 of the Estates Land Act, the landholder is only bound to keep the tanks in such a state of repair as to ensure the necessary supply of water to the lands registered as wet in the ayacut. Under this Bill Government compel the proprietors to keep the tanks in such a state of efficiency as will enable them (Government) to supply water not only to the lands registered as wet, but also to the large tracts of lands registered as dry and brought under wet cultivation. The idea of the Government obviously is that the tank bunds will have to be raised considerably so that they may be able to bring a larger area of dry lands under cultivation and derive a larger benefit.

“It is not fair that the proprietor should be called upon to contribute a share of the cost of the efficient maintenance of the tanks. He is bound to keep it just in a state of repair, just as would meet the demands of the wet lands under it, if Periyar water had not been brought and stored in it. 12-30 p.m.

“Sub-clause (e) which is sought to be introduced, is only to give effect to certain amendments which have been given notice of and will be taken up by the House presently. In the amendment to the later clauses it is suggested that appeal should vest in the civil court over any decision that the Collector may come to. For that purpose it is necessary to define as to what that ‘court’ would mean. Perhaps the Government would come forward and ask what is meant by the court of the lowest grade. The answer to that is, it is not the Panchayat Court or the Village Munsif’s Court. What I mean is a regular civil court, that is the District Munsif’s Court having jurisdiction over that area. I do not believe that the Government would have any objection to this amendment.”

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment and spoke in Tamil as follows:—

“இது ஒரு ஆக்கிலும் குறிக்கப்படாதது. அர்த்தம் நிர்ணயிக்கப்படாத வார்த்தை இதை யார் சொல்லக்கூடியவர். குளத்தின் விஸ்தீர்ணத்தையாவது அதின் லெவலையாவது அதிகப்படுத்த தாவா பில் கொண்டுவரப்பட்டுவிட்டே என்று நிச்சயம். எஸ்டேட் லாண்டு ஆக்ட் அபிப்பிராயமும் அதுவே. ஆகையினால் பின்னால் தாவா இல்லாமலும் வேரு விதமாக யாரும் அர்த்தம் செய்யாதிருக்க இப்பொழுதே அதை நிர்ணயம் செய்யவேண்டியது அத்தியாவசியம்.”

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* Mr. K. R. VENKATARAMA AYYAR:—“ Sir, if the words ‘ efficient condition ’ should be interpreted in the manner proposed, the result would practically be to frustrate the main purpose of this Bill. The purpose of this Bill is to empower the Collector to propose necessary measures for repair when a tank falling under the operation of this legislation is found by him to be in a state of disrepair. The word ‘ efficient ’ wherever it occurs in this Bill must be correlated with the other words ‘ state of disrepair ’ which is the phrase in the leading section—section 5 of this Bill. Therefore it is only when a tank is found to be in a state of disrepair, that an attempt is made to put it in a state of repair or efficiency. Therefore there is not much difficulty in understanding what is meant by the terms ‘ efficient condition. ’ Suppose the annotation of the words ‘ efficient condition ’ proposed in the new clause (d) is adopted; what does it come to? All that is necessary according to the Mover of the amendment is to maintain a tank in such a state of repair as could be necessary to keep it if it were not part of the Periyar system. That is what it comes to. The dominating purpose of this legislation is to keep it in a state of efficient repair because it is part of the Periyar system and the repair that is contemplated is that repair which would be necessary in the case of the Periyar non-Government tank. The tank is a part and parcel of the Periyar system and has been so for a period of 38 years and the proposal of the proprietor of the tank is not to take it out of the Periyar system but to continue to maintain it as part of the Periyar system. To say that he will keep his tank in such a condition as not to allow a drop of the Periyar water into it, is to say that it should be taken out of the Periyar system. That is defeating the whole purpose of this legislation. I submit therefore that the proposal that is made to annotate the words ‘ efficient condition ’ is not as innocent or innocuous as it is attempted to make it appear. This is a very dangerous amendment and it would go to frustrate the main purpose of this legislation.

“ Then going to the other expression, in the Bill as it now stands there is reference to ‘ court ’ only in section 11. There is ultimate resort to civil litigation provided for in section 11 of this Bill. If some of the amendments which have been tabled should be carried, then the civil court would get jurisdiction under this Bill even in respect of other topics than those which are provided for in section 11. The amendment says, where there is need to annotate the word ‘ court ’ means only the District Munsif’s Court. The court of the lowest grade amongst the courts constituted under the Civil Courts Act would be the District Munsif’s Court. Under the Civil Courts Act, the pecuniary jurisdiction of the various grades of courts is already statutorily fixed. The court that would have pecuniary jurisdiction for a particular suit which may be filed when this Bill became law, would be the court of the proper pecuniary jurisdiction. Suppose the suit were valued at an amount above the pecuniary limit of the District Munsif’s

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Court and yet to annotate the word as proposed would mean that a suit instituted under the provisions of this enactment would have to be instituted in the District Munsif's Court even if the value of the suit exceeds the pecuniary limit of the Munsif's Court's jurisdiction. You would abrogate in effect the provisions of the Civil Courts Act bearing upon the topic of the limit of the pecuniary jurisdiction of the various grades of courts. I do not think any good purpose is gained and it would be impossible to allow for the purposes of suits falling under this Act alone, higher pecuniary jurisdiction for Munsif's Courts. I do not at all clearly see what is the object of all those who propose this amendment. Perhaps they do not see the effect such as I have now pointed out to be. If they had perceived that, they would not propose this amendment. The words 'the court of the lowest grade' do not serve any good purpose at all. I oppose this amendment also. To the extent that civil courts are invested with jurisdiction to try matters which might otherwise have been closed by Collectors and Government decision to that extent, whichever court which would normally have pecuniary jurisdiction, would try these suits, except for this amendment. Therefore there is nothing gained by this amendment. For these reasons I oppose the proposed amendments."

* The hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, after what my hon. Friend, Mr. Venkatarama Ayyar, has said, it does not seem necessary for me to say very much in opposing this motion. If the first of these two amendments were passed, it would provide very considerable opportunities for argument as to what is really necessary to make the storage capacity of a tank approximate to that required for the irrigation, without the aid of the Periyar water, of the land registered as wet under it. On this matter there might be considerable difference of opinion and considerable argument on behalf of the Government and on behalf of the zamindar. We have provided only for repair and restoration and not for the improvement of the tanks. We shall not be able to make the zamindars do anything more than what they would ordinarily have had to do. We have provided in the Bill for the landholder appearing before the Collector and raising objections that measures other than those proposed would be sufficient for the repair of the tank and its restoration to efficiency. There is sufficient safeguard to prevent the Government from doing more than what the Legislature intends to be done by way of improvement of the tank under cover of this law. As regards the second amendment, Mr. Venkatarama Ayyar had dealt fully with the point."

* Mr. V. T. ARASU:—"I feel, Sir, that the Government and my hon. Friend, Mr. Venkatarama Ayyar, are unreasonable in this matter. When in the year 1896 Periyar water was brought in, there was a certain extent of land registered as wet under each tank. That area is the same even to-day. It has not in any way increased; the assessment collected by the landholder is also just the same as it was before the year 1896. Say, the landholder was collecting in the year 1896 a sum

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of Rs. 2 per acre for the lands registered as wet under a particular tank. He is collecting the same amount even to-day. The revenue of the landholder has not in any way increased. On the other hand the Government have been deriving benefit by the use of these tanks in an increasing measure year after year because they have been increasing the extent of dry lands irrigated by water from these tanks. It is only the Government that have been benefited all these 38 years. The landholder is not in any way benefited."

The amendment was put and lost.

Clause 3 was put and carried.

Clause 4.

* Mr. V. T. ARASU:—" Mr. President, I move that—

'In the place of all words after the word " tank," the following be substituted:—

" The Collector shall give notice to the aggrieved parties, and after an inquiry and hearing, the parties aggrieved, shall decide the same, which decision shall be final subject to the result of any suit that may be instituted within six months from the date of the decision by any of the aggrieved and interested parties.

" Provided that if any lands on the foreshore or bed of the tank have been granted to the tenants and are being cultivated by them for a period of not less than twenty years they shall not be classified as the area of the tank "

" Sir, no doubt in clause 11 of this Bill, power is given to the affected parties to go to a civil court against a decision of the Collector; but instances of the kind contemplated by the Government when they gave power under clause 11, I believe, will not arise at all and therefore I think it would be proper if the provisions of clause 11 are transposed and added on to clause 4 of the Bill where they are absolutely necessary.

" My hon. Friend, Mr. P. C. Muthu Chettiyar, will give this House several instances in which the Collectors have erred in coming to a decision as to whether an area forms part of a tank or not. I shall only give the instance of one tank owned by the Goripalaiyam durga in the Madura district. There Collector executed certain repairs to the tank against the will of the landholder and collected from him costs to the extent of about Rs. 2,000. After the repairs have been effected, certain tenants in the neighbourhood of that tank have filed a suit for damages, against the proprietor, for alleged curtailment of certain sources of their own water-supply, on account of the repairs effected by the Collector. Thus you will see, Sir, for repairs effected by the Collector, for which the landholder was in no way responsible, he has been called upon to pay damages to the neighbouring villagers, to the

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extent of about Rs. 1,000. I believe, Sir, this instance is well known to the Government. In order that such instances may not occur, what is asked for in this amendment is that the Collector shall give sufficient notice to the parties concerned, and even after his decision is given, power should be given to the landholder or for the parties concerned to take the matter up to a civil court. For, after all, the Collectors, with all their numerous duties, find no time to dispose of these technical matters to the satisfaction of the concerned parties. Rightly or wrongly, people do apprehend that the Collector—it may not be willingly, but—may sometimes find it beyond his control to go into these matters in any detail. If these matters are left to a civil court, it is natural to expect the court to go into them in detail and do justice to the parties concerned.”

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment in a Tamil speech as follows:—

“ஆறு மாதம் செக்ஷன் 11-ல் சிலில் சூட்டுக்கு ஏற்பட்டிருப்பது அனாவசியம். அதில் கண்ட விஷயம் நேரிடக்கூடியதல்ல. வரக்கூடியதுமல்ல. அந்த செக்ஷனை இந்த இடத்தில் உபயோகிப்பது நியாயமாகும்.

சமீபத்தில் கோறிப்பாளையம் தர்காவில் ஒரு கண்மாயை கலெக்டரவர்களால் மறமுத்து செய்ய கட்டாயப்படுத்தி சமார் ரூ. 2,000-க்கு மறமுத்து செய்து அகுதாரிடம் வசூலாகிவிட்டது போலும்.

அடுத்த கிராமத்துக்காரர் தங்கள் நிலத்தில் தண்ணீர் அதிகமாய்ப் பிடித்து ரூ. 1,000 நஷ்டம் நேர்ந்ததாக அகுதார்பேரில் சூட்டு போட்டு தீர்ப்பாகி ஹைகோர்ட்டில் அப்பீல் பெண்டுகிவிருக்கிறதுபோலும் தெரிவித்தார்கள்.”

* The hon. Sir ARCHIBALD CAMPBELL:—“ Mr. President, Sir, I oppose this amendment. It does not seem to me to be necessary that the civil court should be resorted to for the determination of what is necessarily a question of fact, viz., the area which is or forms part of a tank. This is a question of considerable importance, as in the earlier days of the Periyar system considerable areas of tank-beds were actually irrigated and we had to take measures to stop irrigation of those lands in the interests of the system as a whole. I may here, Sir, quote from Mr. Hall's report, regarding the withdrawal of irrigation permits in certain cases. This is from paragraph 21, clause (b) at page 9 of the report:

‘Another set of permits issued in proprietary villages were withdrawn under different circumstances. The indiscriminate assignment of lands in the beds of tanks in proprietary villages and the consequent extension of irrigated cultivation in the beds of certain of those tanks which were required as part of the Periyar system became such a serious danger to the efficient working of portions of the system that it became necessary to take steps to discourage such cultivation and prevent it where possible. Accordingly a special engineering establishment was entertained to classify the proprietary tanks into those required as part of the Periyar storage system and those not required for that purpose; and to investigate the full tank levels of the former class of tanks in order that permission to irrigate lands lying in the tank-bed and below the full tank levels of tanks of that class might be refused or if already given, withdrawn. The work was carried out. Effect was given to the policy; and a certain number of permits were withdrawn. That this fixing of the

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full tank levels of proprietary tanks was really necessary in the interests of the ryots holding lands under the tanks was more or less recognized by the memorialists and others present at the first conference at Melur. Vague allegations were made that the full tank levels had been fixed improperly or arbitrarily. Detailed discussion, however—particularly with Mr. T. Ramaswami Ayyar, a retired Assistant Engineer—established the fact that wherever possible the full tank levels had been fixed with reference to the existing masonry escapes; that this had not been done only in cases in which the masonry escapes were not in a fit condition to enable this to be done; and that in such cases the probable full tank level in pre-Periyar days had to be calculated from such other data as were available.

These remarks, Sir, are sufficient to show that the areas have been already fixed with reference to such data as could be obtained and measures have already been taken to prevent the cultivation and irrigation of those areas. A certain number of hard cases have also been specially dealt with in Mr. Hall's report. I submit, Sir, that in view of these facts and the investigation that has already been made, it is not necessary to direct that any enquiries must be made by the Collector, nor to subject the decisions of the Collector to an appeal to the civil court."

* Mr. V. T. ARASU:—"Mr. President, Sir, at any rate in regard to the second part of the amendment, I thought the Government would find their way to accept it and that this House also would be prepared to accept it. The purport of the second portion of my amendment is this: some of the lands in the tank-beds have been under cultivation and in the continuous possession of certain ryots for over twenty or thirty years, even long before the Periyar system was introduced. By virtue of the fact that these ryots have been in possession of the land and have been cultivating such land for a long period, they have acquired occupancy rights. When occupancy rights are sought to be given even in the case of ordinary inam lands to those who have been in possession for a certain period of years, I fail to see why such occupancy rights should not be conferred on the ryots of this area who have been cultivating the land for more than twenty years. The provision here is only for people who have been continuously cultivating for a period of not less than twenty years; and it is my submission that their rights should not be affected. The plea raised by the Government is that if such beds of tanks are allowed to be cultivated indiscriminately, the storage capacity of the tank would go down; but when during the past 38 years the Government have not experienced any difficulty and have been storing water in the tank to the full tank level, I fail to see how in the future, the full tank level would be reduced on account of the fact that certain portions of the bed are being cultivated by certain ryots. I appeal to the Government to accept at least the second portion of the amendment which is purely in the interests of the ryot population who have been cultivating these lands for more than twenty years."

The amendment was put and lost.

Clause 4 was put and carried.

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Clause 5.

1 p.m.

* Mr. V. T. ARASU:—"I move—

"In clause 5 after the words "that any tank is in" add the word "such" and after the word "disrepair" insert the words "so as to cause damage to the Periyar system".

"The clause when amended will run thus: 'Whenever it appears to the Collector that any tank is in such a state of disrepair as to cause damage to the Periyar system, he may pass a preliminary order, etc.' The effect of this amendment is this. In determining as to whether a tank requires repair or not the Collector should take into consideration the fact whether by reason of the present condition of the tank the Periyar irrigation is likely to be jeopardized. If the Collector thinks that because of the neglect on the part of the landholders the Periyar system is going to be endangered the Collector may pass any order that he may think fit. This is merely a verbal amendment and I believe Government would not oppose this amendment."

* Rao Bahadur P. C. MUTHU CHETTIYAR in seconding the amendment in Tamil said:—

"கணமாய் பார்த்தமாத் திரத்தில் தோணுவது கூடாது.

* The hon. Sir ARCHIBALD CAMPBELL:—"I am not prepared to accept this amendment. It seems to me that this is another amendment which will simply lead to delay in the proceedings before the Collector. There will be argument as to whether a particular disrepair will cause damage to the Periyar system or not. We have provided in this Bill a procedure which we want to be as simple as possible. We do not want to have complicated arguments on behalf of one side or the other as to what is likely to happen if something is not done or as to what will happen in certain hypothetical conditions. All we call upon the landowner to do is to carry out the repair or the restoration of the tank and nothing more. That is what he would have had to do if there had been no Periyar system."

* Mr. V. T. ARASU:—"The hon. the Revenue Member says that they do not want that there should be any delay before the Collector. Sir, I fail to understand why they should be anxious that these things should be disposed of in a day or two without reasonable opportunities being given to the parties concerned. Experience of the past 38 years goes to show that no necessity has ever arisen for the Government or the Collector to interfere immediately. The hon. Member went on to say that they do not want complicated arguments at all. That is a statement which I believe the House would not agree to. It is necessary in these matters where private rights are concerned that both the parties should be heard at length. The Collector should inquire into all the aspects of the question and then only come to a decision. Merely by seeing the tank from one end to the other one cannot come to the conclusion that it is in a state of disrepair and therefore repairs ought to be effected immediately. The Collector should hear the parties concerned before he passes any preliminary order and if, even after hearing

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the parties, he still thinks that by reason of the tank being not kept in repair it will cause permanent danger to the Periyar system, it is open to him to pass the order. Therefore, it is not going to cause any delay as anticipated by the hon. the Revenue Member. On the other hand, Sir, it is our wish that these proceedings should be as expeditious as possible. But, for the sake of expediency, we should not sacrifice justice and fairplay."

The amendment was put and lost.

* Mr. V. T. ARASU:—"Sir, there is another amendment to the same clause. It is as follows:—

'For the words "sixty days," substitute the words "six months".'

"As amended that portion of the clause will read as follows:—
'The Collector shall send copies . . . requiring him to appear before the Collector on a date to be specified in the notice not being less than six months after the date of the notice, etc.' My object in moving this amendment is not to defeat the purpose of this Act as my hon. Friend, Mr. Venkatarama Ayyar, seems to think. The difficulty involved in giving only sixty days can be seen from the following instance. Supposing in November or December when the crops are standing the Collector passes an order asking the landholder to come forward and explain why repairs should not be effected, it would not be possible at all for the landholder to proceed to the spot and prepare his reply. The crops are there and therefore no investigation of the condition of the tank would be possible. It is only after the harvest that the landlord can possibly go to the spot, satisfy himself and then prepare any statement that he may wish to file before the Collector. That would take him on to March. Therefore it will be seen that two months is a very short period. The landholder should be enabled to secure technical advice, to inspect the spot and satisfy that the tank requires repair. For these reasons sixty days will be most inadequate and six months at the least would be found necessary."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment in the following Tamil speech:—

“லாண்டு ஹோல்டர்களுக்கு இஞ்சினீயர், ஒவர்ஸீயர் கிடையாது. கண்மையில் தண்ணீர் நிற்கிறகாலமாயிருந்தால் ஒன்றும் தெரியாது. ஒரு வரீஸன் தேவை.”

* Mr. K. R. VENKATARAMA AYYAR:—"When the Bill was originally introduced there was no limit of time mentioned. The Bill said: The Collector shall send copies of such plans and estimates to the landholder of the estate in which the tank is situated or if the tank is not wholly situated in one estate to each landholder concerned together with an order in writing requiring him to appear before the Collector on a date to be specified in the notice and show cause why the measures specified in the said plans and estimates should not be carried out. That is how

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the section originally ran. There was no time limit fixed then, but it was left open to the landholder or landholders concerned to appear before the Collector to show cause to propose rival measures and less costly measures. After considerable discussion with regard to this in the Select Committee, we arrived at the period of sixty days as a fair and reasonable limit of time which would give the landholder or landholders concerned adequate opportunity to inspect the tank in question and to take technical advice for examining the plans and estimates proposed by the Collector. It is not as if the Collector is going to choose a very unsuitable period in the year. The month of November has been pointed out as an example. That will be a month when the Collector won't issue notice and that will be a period when there will be water in the tank. No Collector who went about his business in a businesslike way would be expected to choose an extremely inappropriate season as the season when he should issue notice and as the season when the landlord or landlords are required to show cause why the plans and estimates should not be carried out. The Collectors as well as landlords are interested and they would select a suitable time of the year with due regard to the requirements of the standing crop and with due regard to the stagnation of water in the tank.

"Then the other question is whether two months' time is enough to enable the landlord to examine the plans and estimates. If you should really allow a period of six months the only part of the year that might be available for putting through the scheme of repairs might become the next agricultural season and the Collector and the ryot would both find themselves in the very same plight and be obliged to leave the tank in a state of disrepair.

"I think sixty days is quite an adequate interval for any business- 1-15
man to proceed with the business in a businesslike fashion to investigate P.m.
into the plans and estimates proposed by the Collector and to come forward with alternative plans and estimates and that six months would mean an unreasonable delay and would frustrate the very purpose of the Bill, namely, carrying out speedy repairs."

* The hon. Sir ARCHIBALD CAMPBELL:—"Mr. Venkatarama Ayyar has already dealt with and given reasons for opposing the motion. We have not only to consider the interests of the owners of tanks, but we have also to consider the ryots, whose interests are adversely affected by the tanks being left in a state of neglect and disrepair; and in the interests of the ryots it is desirable that there should be no undue delay in the execution of the repairs to these tanks. Sir, I am sure, we can trust the Collector to be reasonable in dealing with the owners of tanks and they have also the power to adjourn the enquiry on adequate reason being shown by the owners of tanks on the first date fixed for the enquiry. If therefore sixty days is not sufficient in any particular case, I think we can trust the Collector to grant an adjournment to enable the owner of the tank to complete his investigation but we do not want the proceedings to be drawn out too long."

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* Mr. V. T. ARASU:—" Mr. President, Sir, I request the Government to find their way to accept sixty days after the *service* of the notice. The words used in the Bill are 'sixty days after the *date* of notice'"

* The hon. the PRESIDENT:—" I thought the hon. Member was going to reply. I did not think that he was going to bargain."

Mr. V. T. ARASU:—" As I have already explained, Sir, sixty days is too short a period for the proprietor of the tank to appear before the Collector and raise his pleas. Even if the Government should find that six months is too long a period as the hon. the Revenue Member observed, it is quite reasonable for the landholder to expect a notice of sixty days from the date on which such notice is served on him. If the landowner is absent from his headquarters and notice does not reach him and still in spite of that fact, if he is to be called upon to appear before the Collector, it would be impossible for him to do so, especially when he is not aware of the fact that a notice has been issued. For these reasons, I feel that at least sixty days after the service of the notice may be accepted by the Government."

* The hon. the PRESIDENT:—" The question is that for the words 'sixty days' *substitute* the words 'six months'."

The amendment was lost.

* Mr. V. T. ARASU:—" I move that—

"In clause 5, the words beginning with "The Collector" and ending with "made" shall be omitted."

The provision made in the Bill is to the effect that in issuing the notice, the Collector shall cause the same to be notified in the villages concerned by means of beat of drums, etc. When a notice is served on the proprietor of the tank, and when he comes forward before the Collector to raise his plea, I fail to see where the necessity arises for the Collector to make this notice known by affixing it in a prominent place and by beat of drum, etc. For the existence of cordial relations between the landlord and the tenant, it is necessary that such publicity ought not to be given at all. If, in spite of the notice, the landholder fails to appear before the Collector and accept the suggestions made by the Collector, it may be reasonable to direct the Collector to publish it in the village concerned and make that fact known to the villagers. But, when the landholder appears before the Collector and puts his plea, there is no necessity for making this notice known to the whole village concerned."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment in the following Tamil speech:—

"ஏனென்றால் முதலில் கலெக்டர் உத்தேசத்தை கொடுப்பதால் எல்லா பார்டிக்கு சார்வாகம்போது அது தேவையில்லை. நேரில் சார்வாகாவிடில் செய்யலாம். அனாவசியமாக விஸ்தரிப்பது தேவையில்லை."

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* Mr. K. R. VENKATARAMA AYYAR:—" Sir, the mover of the amendment seems to ignore the interests of the ryots concerned. It is certainly necessary that the ryots concerned should be in the know of what measures are proposed by the Collector by way of repair. They are also given an opportunity in the subsequent sections of this Bill to appear before the Collector to have their say as to what kind of repairs would meet the requirements of the case. Therefore, it is important that the notice of the Collector should be affixed in a conspicuous place in the village or the villages concerned, so that all the ryots concerned may come to know what was going on and what was proposed to effect by way of repair. I wonder what the landholder stands to gain by asking for the deletion of this clause. It looks as if some of the landholders do not wish to be advertised in the area concerned that they have neglected to maintain their tanks and that the Government are proposing to effect repairs in the interests of all concerned. It might be a matter of prestige, but so far as the real requirements of the situation are concerned, it is distinctly an advantage that all concerned should have the benefit of vernacular notices and vernacular translations of the plans and estimates which would give the necessary information to the entire area."

* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, for reasons already explained by my hon. Friend Mr. Venkatarama Ayyar, I oppose the motion."

The motion was put and lost.

Clause 5 was put and carried.

Clause 6.

* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, I move—
'that in the opening paragraph of sub-clause (i), in line 3, for the words "an objection" the words "any of the following objections, namely:—" shall be substituted.'

This is purely a verbal amendment."

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I second it, Sir."

The amendment was put and carried.

* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, I move—
'That in sub-clause (i) (a), in line 3, the word "or" be omitted.'

This is purely a verbal amendment.

Mr. K. R. VENKATARAMA AYYAR:—" I second it, Sir."

The amendment was put and carried.

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* The hon. Sir ARCHIBALD CAMPBELL:—"Sir, in sub-clause (i) (b) the word 'or' be omitted; in sub-clause (i) (c) in line 3, for the word 'or' the word 'and' be substituted; and in sub-clause (i) (d) in line 4, for the word 'persons' at the end, the words 'persons; and' be substituted."

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I second it, Sir."

The amendment was put and carried.

* Mr. V. T. ARASU:—"Mr. President, I move—

'that after sub-clause (d), the following new sub-clause (e) be added:—

"(e) and any other plea the landholder may put forward"

"It seems to be curious that Government should say that the landholder should raise only such and such pleas. What this amendment aims at is that the landholder should be at liberty to raise any other plea than those enumerated in sub-clauses (a) to (d). Government say that he can raise only certain specific points mentioned in sub-clauses (a) to (d); I think it is unfair that the proprietor of a tank should be estopped from raising any plea that he may think fit and which may be necessary for the case. It is better that the courts are given discretion to say whether a certain plea is proper or not."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment in the following Tamil speech:—

"கலெக்டர் நியாயத்தை எடுத்துக்கொள்ள அதிகாரமிருக்கும்போது பார்ட்டி சொல்வதை இன்னதென்று வரையறுப்பது நியாயமில்லை."

* The hon. Sir ARCHIBALD CAMPBELL:—"Sir, this amendment seems to be quite unnecessary. We have already provided in the Bill that the landholder may raise certain objections to the order of the Collector and it does not seem to me desirable to give him power to raise all sorts of pleas. No instances have been given either by the Mover or the Seconder to indicate the kind of pleas that would be put forward under this amendment."

* Mr. K. R. VENKATARAMA AYYAR:—"Mr. President, I was only going to say that if the Mover or the Seconder would give an indication of what further plea than those set out in the various clauses of the Bill could be raised, they would help us to consider whether any new category of pleas should be provided for or not. Really, all the possible pleas have been provided for. A landholder may say, 'I am not the landholder concerned in this tank', or he may say that 'the tank is in an excellent state of repair' and 'it does not require to be repaired at all'; or he may say that the sort of repair that the Collector proposes is unnecessary and unduly costly and that a less costly scheme would suffice. Or, he may say, no doubt the repairs are necessary, but the cost should not be thrown entirely upon him and that there are other parties

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who by contract, or by custom and usage are bound to share the cost of repair. These are the various categories which occurred to the author of the Bill as well as to the members of the Select Committee as the only available heads under which landholders might raise pleas. If any other plea is envisaged by the Mover or Seconder, even by way of illustration, we shall be in order in providing for any distinct category. We generally have in very many statutes distinct categories of cases provided for and a general category so as to provide for cases *eugesdem generis*. So far as cases *eugesdem generis* are concerned, they would be covered by one or other of these specific provisions. We have no provision like 'whatever other plea is available.' A clause stating simply that any other plea that may be available might be put forward, is not reasonable. That is not legislation." 1-30
p.m.

V.—HIS EXCELLENCY THE GOVERNOR'S MESSAGE THANKING THE COUNCIL FOR THEIR RESOLUTION OF CONGRATULATION ON HIS APPOINTMENT AS ACTING VICEROY.

* The hon. the PRESIDENT:—"Before we rise, I wish to inform the House that His Excellency the Governor writes to me a letter expressing his sincere thanks for the resolution passed by this House on the 29th January congratulating him on his appointment as Acting Viceroy. I will read out the letter for the information of the House:—

' Government House,
Madras,

5th February 1934.

' Dear Mr. President,

I have, unfortunately, not been well enough during the last few days to write any letter, but now that I am able to do so. I do not delay in writing to ask you to be so kind as to convey to the Members of the Legislative Council my most sincere thanks for the resolution of congratulation which they were so kind as to pass on the announcement that I am to act temporarily as Viceroy. Many kind words were used in moving that resolution and I am deeply grateful to all Members of the Legislative Council.

Yours sincerely,
GEORGE STANLEY.' "

VI.—THE BIHAR EARTHQUAKE RELIEF FUND.

* The hon. the PRESIDENT:—"I may also suggest to the hon. Members of the House that in pursuance of the resolution passed the other day regarding the earthquake, no attempt seems to have been made by any Member of this House to collect money. I would only advise at this stage that the several Leaders of Parties and Whips might meet together and devise ways and means for raising subscriptions."

The House then adjourned for lunch.

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(After Lunch 2-30 p.m.)

IV—THE PERIYAR IRRIGATION TANKS PRESERVATION BILL
(BILL No. 16 OF 1933).

Clause 6—cont.

* Mr. V. T. ARASU:—"Sir, the hon. the Revenue Member and Mr. Venkatarama Ayyar have asked whether we are in a position to state any specific points on which fresh pleas might be raised on behalf of the proprietors. Sir, the shrewd lawyer that Mr. Venkatarama Ayyar is, he ought to know that it is impossible to anticipate in any particular case as to what particular pleas a party might raise or what pleas he may not raise. I would put him the question that he put to us whether in any case that he undertakes to conduct in a court of law he would be in a position to state even at the outset that he is going to raise only such and such pleas and to state them categorically as the Government and himself seem to ask us to do in this case. This is a new measure which the Government are enacting and nobody can anticipate as to what the effect of this measure is going to be. And therefore it would be impossible to anticipate also as to what sort of pleas it would open to the proprietors of the tank to raise when the matter comes up for disposal before the Collector. Neither the Government nor even Mr. Venkatarama Ayyar has made out any case as to how if this amendment is carried, it would prejudicially affect this legislation. Therefore, Sir, I think that this is a harmless amendment, an amendment which is not going to upset the scheme of this Bill. I would therefore urge this House to accept this amendment."

The amendment was put and lost.

Clause 6, as amended, was then put and carried.

Clause 7—First paragraph.

The hon. SIR ARCHIBALD CAMPBELL:—"Mr. President, Sir, I beg to move—

'that in line 2 for the words "his enquiry", the words "the inquiry" be substituted,

'that in line 3 for the word "enquiry" the word "inquiry" be substituted,

'that in line 4 for the words "such enquiry" the words "such inquiry, if any" be substituted,

'that in line 4 for the words "confirm, cancel or modify" the words "pass a final order confirming, cancelling or modifying" be substituted, and

'that in line 5 for the word "his" the word "the" be substituted.'"

5th February 1934] [Mr. V. T. Arasu]

These are verbal and spelling amendments.

Mr. K. R. Venkatarama Ayyar seconded the motion.

The amendments were put and carried.

* Mr. V. T. ARASU:—" Mr. President, Sir, I move—

*'that in clause 7 for the words "as he thinks fit," the words
"and hear the parties and decide the various questions
raised in the sub-clauses (a) to (d) of clause 6" be substituted.'*

"Sir, having clearly laid down in four sub-clauses the pleas which a proprietor can raise, I feel it is not necessary that we should give a discretion to the Collector to say that he would admit only such pleas as he thinks fit. Therefore, Sir, this amendment seeks to omit the words 'as he thinks fit' and make it clear by substituting the words 'and hear the parties and decide the various questions raised in the sub-clauses (a) to (d) of clause 6.' This amendment is not going to cause any change in the meaning of the clause. It is only intended to clear the position and I therefore hope the Government will accept it."

Rao Bahadur P. C. Muthu Chettiyar seconded the amendment in Tamil.

* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, Sir, as the Mover said that the amendment is not going to have any effect, I do not see any reason for accepting this amendment."

The amendment was put and lost.

Clause 7.

First proviso.

* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, Sir, I beg to move—

'that in the first line for the word "his", the word "the" be substituted.

'that in the third line after the word "appeared" the words "at the inquiry" be inserted, and

'that in the third line for the word "he" the words "the Collector" be substituted.'

The first and third are purely verbal amendments. The ~~second~~ refers to the non-appearance of parties at the inquiry and is intended to make that clear.

Mr. K. R. VENKATARAMA AYYAR seconded the motion.

The amendments were put and carried.

[5th February 1934]

Clause 7.

Second proviso.

* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, Sir, I beg to move—

' that in lines 1 and 2 for the expression " clause (d) of section 6 " the expression " sub-clause (d) of clause (i) of section 6 " be substituted,

' that in line 2 for the word " his " the word " the " be substituted,

' that in line 5 the word " or " occurring after the word " law " be omitted, and

' that in line 5 for the word " or " a comma be substituted '."

These are all verbal amendments.

Mr. K. R. VENKATARAMA AYYAR:—" I second it."

The amendments were put and carried.

Clause 7, as amended, was then put and carried.

Clause 8.

* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, Sir, I beg to move—

' that in sub-clause (1) in line 1 for the word " his " the word " the " be substituted, and

' that in line 2 for the expression " order under section (5) " the words " preliminary order " be substituted '."

The first of these amendments is purely verbal. The second is merely to make it clear as to what order is referred to, namely, the preliminary order. The effect is purely verbal.

Mr. K. R. VENKATARAMA AYYAR:—" I second it."

The amendments were put and carried.

* Mr. V. T. ARASU:—" Mr. President, I move—

' that after the word " Government " insert the words " who shall give notice to the landholder or landholders concerned and after hearing any objections which may be put forward by the landholder or landholders pass an order confirming or qualifying the order of the Collector or send the same for a re-enquiry by the Collector '."

The sub-clause as it stands reads as follows:—

" If the Collector confirms or modifies his order under section (5), he shall report the matter to the Local Government who may cause to be carried out the measures specified in the order as confirmed or modified by him."

" If this sub-clause is adopted by the House as it is, the effect would be this: The Collector who is an interested party would report to the Government saying that he thinks that certain repairs are required for

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a particular tank. The Government, without giving an opportunity to the proprietor of the tank concerned and ascertaining from him his views, pass an order authorizing the Collector to carry out the works. It seems to me to be unfair that the Government should refuse to give an opportunity to the proprietor of the tank whose interest in the tank cannot be questioned to state his view-point. The object of my amendment is to lay down that before Government pass final orders on the Collector's report, they should inform the landholder or landholders concerned of what the Collector has to say, and ask what they have to say, and then pass an order confirming or qualifying the order of the Collector or send the same for a re-enquiry by the Collector. Sir, it would not be far wrong if one were to say that the Collector is usually guided by the subordinate officers, and that in some cases these subordinate officers are not guided by the highest of motives. The Government being the final authority, the proprietor of the tank ought to be given an opportunity to explain his objections so that injustice may not be done to him."

Rao Bahadur P. C. MUTHU CHETTIYAR speaking in Tamil seconded the amendment as follows:—

“தகரார் கேசில் மட்டும் கலெக்டருக்கு ஒரு விதமாக சபார்டினைட்டுகள் ரிப்போர்ட்டின்பேரில் தீர்மானித்துவிட்டால் அவரால் செய்யும் ரிப்போர்ட் ஒன் சயிட்டாகத்தான் இருக்கவேண்டும்.

“இப்பொழுதும் நீங்களை கவர்ன்மெண்டுக்கு . . . கேட்கட்டுமென்று ஒத்துக்கொள்ளும்போது பார்டிக்கு ஏன் தெரிவிக்கப்படாது எலிமென்டரி பிரின்சிபல் தானே.

“இந்த மாதிரி விஷயங்களில் அனேக இங்கிலீஷ் லா எத்தனையோ விதமாய் இருக்கிறதே.

“கலெக்டரவர்கள் முதலில் ஒருவிதமாக தீர்மானம் செய்துவிட்டால் அதை மாற்றிக்கொண்டார் என்பது அபூரவம், தெரிந்தவரை இல்லை. பிடிவாதம் என்பது மனோநிலையை யுடையது.

* Mr. K. R. VENKATARAMA AYYAR:—“I think, Sir, that Mr. Muthu Chettiyar's point is that if there is the possibility of an order issuing against a concerned or interested party, such an order should not be issued without due notice to the party that might be affected. It is a very wholesome principle and lawyers especially would perfectly approve of such a principle finding a place in all pieces of legislation. But whether the present is an occasion in which that principle comes in for application is the real question. Under the scheme of this Bill the Government are not empowered to pass an order to the detriment of any landholder or landholders concerned. The enquiry is all before the Collector; the final order fixing up the plans and estimates and determining exactly what shall be the repairs to be carried out and apportioning also the cost of repairs which the various parties are liable to pay is also issued by the Collector. Afterwards, if the Collector makes a report to the Government, it is only with a view to the Government footing the Bill and issuing the necessary orders for carrying out

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the repairs. The Government cannot revise the order of the Collector in any manner which would work out to the injury of any landholder or landholders concerned. Therefore, there is no chance or opportunity for the Government to pass an order modifying the order of the Collector. That is what I meant when I said that there is no occasion for the application of the principle of not issuing an order against a party without giving him an opportunity to state his views. There is no occasion for that. Therefore, I think at the final stage when the Government comes into play there is no need for reopening the whole matter which has already been closed by the Collector's order and hearing parties, entertaining further objections and all that sort of thing."

* The hon. Sir ARCHIBALD CAMPBELL:—"I must oppose this motion because it is attempting to introduce a new principle into our form of administration. I do not know of any Act at the present time which requires His Excellency the Governor in Council to hear parties. Government always make enquiries through their officers. Any landholder will know when the Collector confirms or modifies his order under section 5 and know also when the case goes up to the Local Government for orders. It will be perfectly open to the owner of the tank to submit any memorial he wishes to the Government for their consideration. That is of course a quite different thing from laying on the Government the duty to invite objections and to hear parties. Further, we have given the Government no power to modify the Collector's order, because we feel it just that if there is to be a modification of the order there should be a re-enquiry in which all the parties concerned can be heard by the investigating officer. For these reasons I oppose the amendment."

The amendment was put and lost.

* Mr. V. T. ARASU:—"Sir, I move the following amendment:—

'Delete the words "who may cause to be carried out the measures specified in the order as confirmed or modified by him" and add "in every case in which the Local Government have modified or confirmed the order of the Collector, the Collector shall require the landholder or landholders concerned to state if they are willing to effect the repairs at a cost lower than that determined by the Collector and if the landholder or any of them is willing to undertake the repairs at a lower cost, the Collector shall make an order authorizing him to effect the repairs of the Government. If the landholder or none of the landholders is willing to undertake the repairs, the Collector shall report the same to the Local Government who may cause to be carried out the measures specified in the order as confirmed or modified by the Government.'

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"Every such decision of the Local Government shall be subject to the result of a decision in a civil suit instituted within a period of six months from the date of the service of the decision of the Local Government."

"Sir, it must be admitted that the Government are going to effect these repairs through the agency of contractors. It is a well-known fact that the works carried out by the contractors employed by the Public Works Department are haphazard, and at the same time are prohibitive from the point of view of ultimate cost. The prohibitive rates charged by the Public Works Department even for small works have been on several occasions commented upon by hon. Members of this House. When that is the fact and when the proprietor of the tank interested in maintaining his tank in good condition himself comes forward and says, 'I will effect the repairs that you may consider necessary under the supervision of the Public Works Department.' I fail to see why the Government should not give him an opportunity to do that. After all, the Government are not going to import any outside agency to carry out the repairs. It is the local contractor who will execute the repairs. When the proprietor of the tank offers to take the place of the contractor and work it out himself, why should Government stand in the way, and say that he cannot do it?"

"The second paragraph in the amendment merely provides for an appeal to the civil court, if necessary. We anticipate such appeals only in extraordinary cases. It is not in all cases that the proprietor of a tank would rush to the court and prefer an appeal against the decision of the Collector. The matter now under discussion is an interference with the private rights of parties and therefore the executive should not be made the final authority. Much has been said on the floor of this House from time to time about the separation of the Executive and the Judiciary. I ask, Sir, on this occasion whether this hon. House is going to acquiesce in a Collector being vested with both the Executive and Judicial functions? I believe not. Even in petty cases of encroachments, etc., appeal against the decision of the Collector lies to the aggrieved parties. Why then in this case, where the proprietary rights of individuals are concerned, there should be no appeal to a civil court? In the case of encroachments, when a Collector has given a decision recommending to the Government certain line of action the party affected can appeal to the civil court. He can get redress there. In cases of land acquisition also similar appeals are allowed. Why should, in this case alone, Government deny this elementary right?"

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the motion in Tamil speech.

"பிரைவேட் ரயிட்டில் இன்டர்பியர் சம்மந்தமானதால், என்ருரோச்மெண்டுக்கு கவர்ன்மெண்டு வரை பிரைவேட் சொத்தை எஜக்ஷன் விஷயத்தில் ஆறு மாதத் துக்குள் சிலிலுக்கு சூட்டு இருக்கிறது. சர்வே ப்வுண்டரி ஆக்டிலும் சிலில் சூட்டு இருக்கிறது. லாண்டு அக்விசேஷனிலும் சிலில் கோர்ட்டுக்கு இடமிருக்கிறது. இன்

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னும் அநேக விஷயம் சிவிலில் இருக்கிறது. கலெக்டரால் விதித்த தெண்டம் தீர்வைக்கும் சிவில் சூட்டு இருக்கிறது. ரயிலவே அபக்டிங் ஆக்டுப்படி நடப்படி கைக்கு சிவில் சூட்டு இருக்கிறது. அதின் அவசியத்தை பார்க்கிலும் இது முக்கிய மல்ல.

“ஒவ்வொரு சமயத்திலும் தெண்டம் தீர்வை சம்பந்தமாய் கர்னங்கள் செய்வதை தாசில்தார் பாஸ் செய்தும் அப்படியே கலெக்டரவர்கள் ஜமாபந்தி செய்து வசூலித்ததின் நியாயமும் அப்பால் கலெக்டர் அவர்களுக்கு சூட் நோட்டீஸ் கொடுத்து சிறிசில் பாகம் வாபஸ் கிடைப்பதும் உறிய நியாயங்களை கவனிக்கவேண்டியது.

“1933-ம் பசலியில் ஒரு அதிகாரியானவர்கள் இதற்குமுன் பெற்றிருந்த தண்ணீர் பெர்மிட்டுகளை ரத்து செய்திருப்பதாகவும் புதிய சர்வே நெம்பர்களை கண்டு வேரு உத்திரவு பெறுததால் தெண்டம் விதித்திருப்பதாக பதினாயிரக் கணக்கான தெண்டம் விதித்துவிட்டார். புதிய சர்வேயோ குடிகளுக்கு தெரியாது. கூடுமானவரை வந்திருக்கிற தண்ணீர் மனுக்கள் ஆயிரக்கணக்காக வந்திருப்பதற்கும் எக்ஸிகியூட்டிவ் இஞ்சினியர் உத்திரவு செய்யாது கட்டிவைத்து விட்டார். குடிகள் தெண்டங்களை கட்டிவிட்டார்கள். அநேகர்கள் நஷ்டமடைந்தார்கள். ரொம்ப கஷ்டப்பட்டு அவைகளில் சிலருக்கு மாறியது. பாதிக்குப்பாதி என்று கண்டிருக்கட்டு செய்து வில்லேஜ் ஆபீசர்கள் உதவியில் சிலருக்கு வசூலாயினதாக தெரிவிக்கிறார்கள்.

“ரெவினயூ போர்டு மெம்பருக இருந்த மிஸ்டர் எச். எப். பிள்யூ. ஜில்மேன் துரையவர்கள் பெரியார் விசாரணை செய்து கவர்ன்மெண்டாரவர்கள் நெ. 1524, 1915-ம் ஓன்ஸ் 30உ உத்திரவு பிறப்புவித்திருக்கிறதை அனுசரித்து 1916-ம் வருஷம் கெஜெட்டில் பிரசுரமாயிருக்கிறது.

“அதாவது ஒருதலவை சாங்கிஷன் செய்தால் அந்த நிலத்துக்கு மருதலவை மறு சாங்கிஷன் தேவையில்லை என்று கண்டிருக்கிறது. அதற்கு நேர் விருத்தமாக நடந்தது.”

3 p.m. * Mr. K. R. VENKATARAMA AYYAR:—“Mr. President, Sir, I think the hon. Revenue Member has already indicated the exact scope of the jurisdiction of civil courts under this legislation. As he said, the Government are not authorized to pass any order, modifying or revising directly or indirectly the order of the Collector, to carry out a re-inquiry or re-investigation. Government merely carry out the works recommended by the Collector. If, for any reasons, the measures of repair recommended by the Collector are not executed, it will be open to the Collector to inquire into the matter and bring in such fresh consideration as may possibly be found to bear upon his proposals. But the amendment just now moved by Mr. Arasu and supported by Mr. Muthu Chettiyar asks Government to pass its own orders in modification or in supersession of the Collector's order, and even against the orders of the Government so passed, they want to provide for recourse to civil courts. Now this is a Bill providing for speedy repair of tanks. If, in this Bill, we introduce such a provision and make the ultimate decision of the question of repair dependent on the final verdict of the appellate civil court, then I submit it is a step towards defeating the very purpose of this Bill. After all, the matter dealt with in this piece of legislation is one of carrying out repairs, and so I feel it is better if the final voice is left with the Collector himself, he being in the district and he having no axe to grind. Hence I feel this amendment is

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unnecessary and unreasonable. Section 11 already provides for appeal to civil courts in certain cases and so I feel this amendment, if given effect to, would only defeat the object of the Bill. I feel the Collector is far more fitted to deal with this matter than any other authority, and so I am not for this amendment."

* The hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, I oppose this motion. The effect of the amendment would be to defeat the very object of the Bill; for it will lead to endless litigation and will involve delay in carrying out necessary repairs. Thus, instead of doing good to the ryot, the amendment would be only driving the landowner to the civil courts, and making him and the Government incur expenditure; and as far as I see, the only people to be profited by this amendment would be the members of the legal profession (laughter). So, Sir, I oppose the motion."

* Mr. V. T. ARASU:—"Mr. President, my hon. Friend, Mr. Venkatarama Ayyar, said that the Collector is best fitted to pass orders in this matter. Nobody ever questioned the fitness of the Collector to deal with such matters. I did not do so. All that I said was that all of us are subject to human frailty, and the Collector, being human, is likely to commit mistakes in the course of his official duty. Therefore it is that I suggested that provision should be made for a civil court to sit over the Collector's decision, in an atmosphere entirely different, and decide the matter dispassionately."

"In support of the statement that the Collectors do sometimes err, my hon. Friend, Mr. Muthu Chettiyar, has given two instances. One is an instance in which he himself was victimized; it would appear that in 1924, for a certain piece of land, which was irrigated by means, of a jungle rivulet, he was asked to pay Rs. 1,200; and he had to pay it. That was the Collector's order. But at a later stage the Collector was found to have erred and the money was refunded. And this is an instance of the infallibility of Collectors."

Mr. K. R. VENKATARAMA AYYAR:—"I fear you are wrong."

Mr. V. T. ARASU:—"At any rate the idea is that the Collector's order had to be revised at a later stage, either by the civil court, or by Government or by some authority, whoever it is. Anyhow the matter stands that the Collector had committed a mistake and it had to be rectified at a later stage."

The hon. Mr. P. T. RAJAN:—"No, no, he himself rectified it."

Mr. V. T. ARASU:—"The second case is a glaring one. It was a case of an order of the Board of Revenue thrown to the winds by the Collector. The order of the Board of Revenue is G.O. No. 1524, dated 13th June 1915. Mr. Gillman, it seems, was in charge of the Board of Revenue; and during his time the Government Order named above was passed, by which it was declared that fresh permits need not be taken by ryots for taking water out of the Periyar system. In fasli 1333,

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some ten years ago, a certain Collector who was in charge of the Madura district, held that fresh permits ought to be taken by the ryots. And when the matter went up to Government on appeal, they declared that the order of the Collector was wrong, and that G.O. No. 1524 of 1915 still held good. These are some of the instances where Collectors have erred, and therefore it is that I want that provision should be made for appealing against the decision of the Collector.

"As regards the first part of my amendment, I don't think the hon. Revenue Member has met my point."

* The hon. Sir ARCHIBALD CAMPBELL:—"I think I forgot to mention that it is always open to the proprietor concerned to take up the tender for repairs himself."

* Mr. V. T. ARASU:—"Yes, Sir, but what this amendment seeks to do, is to make it obligatory on the part of the Collector to ascertain first whether the proprietor himself is willing to undertake the repairs himself. Besides, I think the hon. Revenue Member is wrong in presuming that the proprietor can tender for the work. It is not all that can tender for Public Works Department works. Only those whose names are registered as contractors that can tender. Therefore it is not so easily done as the hon. Member would have us believe. Therefore the right thing would be for the Collector to give the first option to the proprietor. So I urge on the Government to accept the amendment."

The amendment was put and lost.

Mr. V. T. ARASU:—"Mr. President, Sir, I beg to move—

'to omit the words " (including the charges on account of establishment and tools and plant at such percentages on the actual cost of the work done as the Local Government may from time to time prescribe) " and after the words " shall be " insert the words " borne by the Government " and omit the rest of the sub-clause;

'or instead of sub-clause 8 (2) insert,

'(2) 5 per cent of the total costs of carrying out such repairs shall be paid by the landholder and the rest shall be borne by the Government.'

"Sir, the effect of this amendment is this: according to the sub-clause, as it stands at present, Government state that to the actual cost of repairs, a certain percentage ought to be added, and that is intended to meet the cost of supervision. This is commonly called centage charge, and this, according to the scheduled rates in force to-day comes to 16½ per cent or so.

"To put it in simple language, supposing the actual cost of a certain work comes to Rs. 100 the ultimate cost according to the Government calculation will be Rs. 116-8-0. I understand that this rate of centage

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charges has varied from time to time. Twenty years ago it was 5 per cent, gradually it came to $7\frac{1}{2}$ per cent, then 10 per cent and now it stands at $16\frac{1}{2}$ per cent. One does not know where it will stop. Perhaps to-morrow by an executive order the Government may say that 25 per cent should be collected. Therefore my submission is that centage charges ought not to be added to the actual cost of repairs. Government being a party interested in the bargain ought to undertake the supervision free of cost. If Government are entitled to supervision charges like the one as is suggested in the Bill, I would suggest that the landholder who is also interested in the bargain should be paid his supervision charges. The proprietor of the tank in the normal course of things would go round and inspect the work in progress. Should not his supervision charges also be added on to the actual cost?

“ Mr. President, this House would pardon me if I take it into the history of the Periyar system of irrigation. In the year 1896, when this irrigation system was inaugurated, Government definitely stated that this system was intended to benefit only the ryotwari areas. They said that if at any time should they have superfluous water, they would supply the same to zamindari and inam areas. This was further qualified, by the addition of the clause: at the specific request of the proprietor or proprietors as the case may be. Sir, Periyar water has been let into these proprietary tanks without the written consent of these landholders. That remains an undoubted fact. Even Mr. Twigg who was acting Collector of Madura then admitted that he had been letting water in the proprietary tanks without the consent of the landholder. It was later in the year 1904 that an attempt was made on the part of Government to legalize their trespass, if I may use that word, and to take written permission of these landholders. To-day the Government are irrigating 17,000 acres of dry lands and 15,000 acres of wet lands, totalling in all about 32,000 acres in the zamindari and inam areas by the water which is stored in the proprietary tanks. Government are now levying a water-rate, Rs. 5 for dry lands and Rs. 4 for wet lands. As has been admitted by the hon. the Revenue Member, Government have not all these years spent a single pie for the repairs of these tanks, and these tanks have been kept in a state of repair by the proprietor on his own initiative and at his own cost. Therefore it will be found that the Government have benefited to an immeasurable degree by the use of these proprietary tanks.

“ At an earlier stage of the debate it was stated by my hon. Friends, Messrs. Krishnayya Choudari and K. R. Venkatarama Ayyar, that whereas under the Estates Land Act, the landholder has to bear the whole cost, here he is asked to contribute only 50 per cent of the cost of repairs, to the extent of the proportion of the wet lands to the dry lands. There is a world wide difference between a tank repaired under the Estates Land Act and that repaired under the Periyar irrigation system. Under the Estates Land Act it is the ryot who has got to apply to the

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Collector in the first instance stating that the tank is in a state of dis-repair and that the supply of water to his (ryot's) lands is being threatened. At the instance of the ryot the Collector asks the zamindar whether he is prepared to execute the necessary repairs or not. In case the zamindar refuses, the Collector effects the repairs. Here the Government is a third party, the only two interested parties in the bargain being the ryot on the one hand and the landholder on the other. It is only where the landholder fails to effect the repairs, the Government intervene and carry out the repairs. Government are not at all interested in the work. But here under this Bill Government seek to effect repairs in order that their revenue may be augmented, or at any rate to see that their present revenue is not diminished. The income of the proprietor on the other hand is inelastic. Why should the proprietor be called up to contribute to an elasticity of the revenue of Government to an extent more than what he is bound to do if Periyar water had not been let in. It is patently unjust.

"Sir, the second portion of the amendment says that only 5 per cent should be paid by the landholder and the rest by the Government. The illustration provided in the Bill is utterly misleading. The illustration takes a case where there are 50 acres of dry lands which have been brought under wet cultivation, and only 30 acres registered as wet lands. From the list supplied to this House the other day I do not find even one case, out of 180 cases to which it refers, where dry lands cultivated as wet preponderate the registered wet lands to the extent portrayed in the illustration. So the illustration is entirely misleading. From the illustration it would appear that all that the proprietor is called upon to pay is three-sixteenth of the total cost or about 18 per cent. On a careful examination of the list supplied by Government the other day, you will find that nearly in all cases 50 per cent of the cost will have to be borne by the proprietors.

"From another point of view also I think the Government are not justified in asking the proprietor of the land to contribute 50 per cent of the costs. The Government are levying Rs. 4 per acre on wet lands, but the benefit to the landholder is very meagre. Sir, from a statement which I have got in my possession containing the rates of assessment in some of the zamindari and inam areas of the Madura taluk I find that the difference between dry rate and wet rate is not at all too much. On an average, the difference between dry and wet rates of all tarams of land, is about two rupees. Thus broadly speaking it can be stated that while the landholder is levying a water-rate of Rs. 2 per acre, the Government are levying a water-rate of Rs. 4 per acre. Therefore it would be patently unjust if Government should compel the landholder to contribute to the cost of repairs in any proportion higher than what two is to four. To put it in other words, it would come to this. If supposing the 'wet' portion of the cost of repairs amounts to Rs. 3,000, then, the Government should contribute Rs. 2,000, and the proprietor the remaining Rs. 1,000. This ratio would be the most equitable one

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from all view points. About the 'dry' portion of the cost there is no question at all. The entire portion of it will have to be borne by Government. For, the entire benefit of the dry-wet cultivation goes to Government."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment in the following Tamil speech:—

3-30
p.m.

"சென்டேஜ் சார்ஜும் 100-க்கு 16½ இப்போது இருக்கிறது. இதானது முன் ரொம்ப குறைவாய் இருந்து சிறிதாக அதிகப்படுத்தி வந்திருக்கிறது. இன்னும் இஷ்டப்படி அதிகப்படுத்துவார்கள். மேலும் புரோப்பைட்டர்களும் தாங்கள் சூப்பரவைஸ் செய்யவேண்டி யிருக்குமாதலால் அவர்களுக்கும் சென்டேஜ் சார்ஜ் ஏற்படாததாலும் கவர்ன்மெண்டு லாபத்துக்கும் அவர்கள் அக்கரைக்கும் வேலை செய்யும்போது இதுவரை புரோப்பைட்டர்களுக்கு அவர்கள் கண்மாயில் பெரியார் தீர்வை வசூலித்து வந்ததற்கு யாதொரு பிரயோஜனமும் கவர்ன்மெண்டார் கொடாததினாலும் சென்டேஜ் சார்ஜ் எடுத்துவிடவேண்டும். இந்த சவு குடிகளுக்கும் பொருக்குமாதலாலும் இதை எடுத்துவிடவேண்டியது.

"பெரியார் ஆரம்பமாகும்போது அயன் கிராமங்களுக்கு முக்கியமாக உத்தேசித்ததாயிருக்கிறது. ஆதியில் 1896-ம் வருஷத்தில் பெரியாரை புரோப்பைட்டரி எஸ்டேட்டுக்கு விடும்போது டெம்பரவரியாய் மாமூல் நஞ்சைக்கு மட்டும் விட்டால், அப்படி விற்கிற காலத்திலும் லாண்டு ஹோஸ்ட்ருடைய கண்மாயின் பூரூ ஆயக்கட்டுக்கும் சப்ளை செய்யமுடியுமாவென்று பார்த்து சப்ளை செய்ய லாண்டு ஹோஸ்ட்ருடைய மனுவின்பேரில் சப்ளை செய்யவும் கலெக்டர் மிஸ்டர் ட்விக்கி ரிப்போர்டின்பேரில் கவர்ன்மெண்டார் G.O. நெ. 373, 1896-ம் ஆண்டு ஜூன்மீ 29-உயில் பிறந்திருக்கிறது. அப்படியிருந்தபோதிலும் லாண்டு ஹோஸ்ட்ருடைய மனுவில்லாமலும் ஜலத்தைவிட்டும் நஞ்சைக்கு மாத் திரம் கவர்ன்மெண்டு ஆர்டர் பிப்புவலிக்கப்பட்டிருந்ததில் அதற்கு விரும்பத்தக்க புஞ்சைக்கும் வழக்கத்தில் ஜலம்விட்டு யேராளமான புஞ்சைகள் நஞ்சை சாகுபடி ஆகி வருகிறது.

"1904-ம் வருஷ ஆரம்பத்தில் கவர்ன்மெண்டுக்கு கலெக்டர் புரோபோசல் அனுப்பியிருக்கிறார். அதிலும் ஏராளமான புஞ்சைகள், நஞ்சை சாகுபடியாய் கொண்டிருக்கிறது. அதற்கும் புரோப்பைட்டரிடத்தில் அபளிகேஷன் கேட்டு முன் நஞ்சைக்கு எப்படி மனு வாங்கியதோ அவ்விதம் வாங்கி தண்ணீர் சப்ளை செய்யலாம் என்றார்.

"1932-ம் பசுவியில் மனுவில்லாமல் 15,376 ஏக்கர் நஞ்சையும் 17,556 ஏக்கர் புஞ்சை வரவு நஞ்சையும் சாகுபடியானதாயிருக்கிறது. இதற்கு ஆதிமுதல் 1896-ம் வருஷ முதல் நானதுவரை சர்க்காருக்கு யாதொரு பணச்சிலவும் கிடையாது. வரவர மாமூல் நஞ்சையை காட்டிலும் புஞ்சை வரவு நஞ்சை அதிகரித்துவிட்டது. இதனால் அதிக வரவு கவர்ன்மெண்டுக்கு ஏற்பட்டுவிட்டது. புரோப்பைட்டர்கள் கண்மாய் ஜலத்தைத் தவிர வேறு காரணமில்லை. யாதொரு வாய்க்கால்கள், மண்கள் ஒன்றும் புதிதாக கட்டவில்லை. ஏற்படவில்லை.

"கிராமமாக சில வாய்க்கால்களில் சில தேக்கங்களில் சகஜமாய் அமைய வேண்டிய மடைகளிலிருந்து மாமூலாக கண்மாயிக்கு வரக்கூடிய ஒட்டையோ, மார்க்கங்களோ அதின் வழியாய் வந்துகொண்டிருக்கிறது. இவ்வளவு எதிர் பார்க்க முடியாத சாகுபடிக்கு காரணம் லாண்டு ஹோஸ்டர் பாங்குகளும் நல்ல கண்டிஷன்களில் இருந்தமையால்தான். இதுவரை சப்ளை சாகுபடி ~~செய்து~~ வந்திருக்கிறதென்றும் கவர்ன்மெண்டு எப்பவும் யாதொரு வஜாவும் செய்ய நேர்ந்ததில்லை என்றும் ஏற்படுகிறது. கண்மாய் ஜலத்தினால் சாகுபடியாகும் நிலங்களுக்கு யாதொரு தர வித்தியாசமின்றி நிரந்தர தீர்வை சர்க்கார் வசூலிக்கிறார்கள். இந்த அபிப்பிராயம் பில் ஆப் செட் ரீசனிலே இந்த பாசன ஏற்பாடு மிகவும் அபிவிருத்தி அடைந்திருக்கிறதாக கண்டிருக்கிறது.

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“இந்த ஸ்திதியை யோஜிக்கும்போது இப்போதுள்ள கண்மாயை மறுமத்து செய்யவேண்டுமென்று கேட்பது சர்க்காருக்கு இதுவரை புஞ்சையிலிருந்து கிடைத்திருக்கிற ஓர் தீர்வையை உருதிசெய்துகொள்ளவும் இதுவரை புரோப்பரைட்டர் செய்திருக்கிற ரிப்பேரை கொண்டும் இந்த ஆக்டு மூலமாக செய்யவேண்டியதாய்கொரும் ரிப்பேரைக் கொண்டும் இன்னும் ஏராளமான புஞ்சை நிலங்களை நஞ்சையாக சாகுபடிக்கு கொண்டுரை எண்ணத்துடனே ஏற்பட்டாக இருக்கிறது. புஞ்சை நஞ்சையினால் ஏற்படக்கூடிய ஏராளமான லாபத்தையும் கவர்ன்மெண்டே அடையக்கூடியதாயிருப்பதாலும் இப்பொழுது புஞ்சை சாகுபடிக்கு உத்தேசித்தே இந்த பில் கொண்டுரைப்பட்டிருப்பதாலும் பூரூச் சிலவும் கவர்ன்மெண்டே பொருக்கவேண்டும்.

“பெரியார் லேக்கிலிருந்து நெடுக வருகிறவாய்க்கால்களுக்கு மறுமத்து சில வுக்காக எந்த அயன் கிரமத்தார்களிடத்திலும் வாங்கவில்லை. இந்த புரோப்பரைட்டரி கண்மாய்க்குமட்டும் இதுவரை விட்டுக்கொடுத்த வந்த லாண்டு ஹோல்டர் கண்மாயின் அதிக பரப்பு காரணமாகவோ அல்லது அதற்கு வரும் அதன் காட்டாறு மீலவாரி வரத்துக்கள் அதிகரித்தோ அதினால் அதிக சாகுபடியாய் வந்திருப்பதின் பலன்களை சர்க்கார் அடைந்திருப்பதை தவிர அதற்குச் சரியாக லாண்டு ஹோல்டர் எந்தவித அதிக லாபத்தையும் அடையாதும் முன் இருந்த வரவு ஸ்திதியிலேயே இருக்க இப்போது லாண்டு ஹோல்டரை பொருக்கும்படி செய்வது தர்மமாகாது.

“கவர்ன்மெண்டாரும் இந்த கண்மாய்களுக்கு தாங்கள் அடைகிற லாபத்துக்காக கண்டிரியூஷனாக கொடுக்கிறார்களல்லாத வேறில்லை.

“கவர்ன்மெண்டு ஏதோ ஈவு கொடுப்பது நியாயமாய் அனுசூலிமே. இதை ஆகேஷிக்க முயலலாமா என்று ஒரு கேள்வியாகலாம். தயவுசெய்து யோஜிக்க புரோப்பரைட்டர்கள் தங்களுக்கு வேண்டிய அளவு கெட்டியாயும் அமுத்தமாயும் செட்டாயும் சிலவு செய்து முடிப்பார்கள்.

“கவர்ன்மெண்டு இஞ்சினியர்கள் இஷ்டப்படிக்கும் ஷெடியூல் ரேட்டுப்படிக்கும் கண்டிருக்கட்டர்கள், சப்-கண்டிருக்கட்டர்கள் முதலிய பல விஷயங்களுள் பட ஷெடியூல் ரேட்டுக்கு அடங்கியதை எஸ்டிமேட்டு போட்டு ஏழையாயுள்ள புரோப்பரைட்டர்கள் தேவஸ்தானம் சர்விஸ் செய்யவேண்டிய ஏழை இனம்தார்கள் இவர்களிடம் பாதி கேட்பது கொஞ்சமும் பொருந்தாது.

“அன்னியில் ஒரு அளவில் செய்யவேண்டியவர்களுடன் கவர்ன்மெண்டு பெரிய அளவில் செய்ய யோசனையோடு வேலை செய்தால் அதற்கு வேண்டிய ஸ்ட்ரெங்த் பவுண்டேஷன் என்ன, அதுபோல மற்றவைகளையும் கணக்குசெய்து பெருந்துகையாக்கி அதில் ஈவுதானே புரோப்பரைட்டர்கள் இனம்தார்களிடம் கேட்டால் கணக்கு தானே என்று எண்ணலாமா.

“இந்த ஹவுசில் வருகிற ஹாரிசன் லஞ்சில் 50 பேருக்கு சொல்லிவிட்டு 20 பேருக்குள்ள ஈவு கொடு என்றால் கோமள விலாசத்தில் சாப்படுகிறதற்குக் கூட லாயக்கில்லாத ஏழை இனம்தார்கள் புரோப்பரைட்டர்கள் ஹாரிசன், போசொட்டா விற்கு தயாராகும் சாப்பாட்டுக்கு ஈவு கேட்பது பொருந்துமா?

“மோட்டாரில் 5 மைல் போகவேண்டியவர்களான ஏழை இனம்தார் புரோப்பரைட்டர்களை 50 மைல் போகவேண்டுமென்றும் சிக்கு சிலுக்கு இல்லாது போக வேண்டுமென்று ரோல்ஸ்ரூயிப் போனால் மைலுக்கு 8 அணை சார்ஜுக்கும் மைலுக்கு ரூ. 5 சார்ஜுள்ளதற்கும் ஈவு கேட்டால் ரூ. 2-8-0-க்கு பதிலாக ரூ. 25 கொடுக்கவேண்டி வரும்.

— “அன்னியில் அனுபவத்தை சொல்கிறேன். ஒவ்வொரு எஸ்டிமேட்டுகளும் ரிவைஸ்டு எஸ்டிமேட்டு இல்லாது முடிவடைகிறது அபூர்வம். ரிவைஸ்டு எஸ்டிமேட்டுக்கு விலங்கதை கிடையாது. வேலையை தொட்டு மாட்டிக்கொண்ட பிறகு ஏதாவது வகையாய்தான் தீரவேண்டும். மதுரை கலெக்ட்ரேட்டர் பதக்கப்பட்டம் நல்ல தேர்ச்சியுள்ள புரோப்பியனான கிராம்ப்டன் கம்பெனியார் கண்டிருக்கட்டு. நல்ல வேலை செய்தார்கள். கல்லடிக்கிற மாடுகள் ரூ. 350-க்கு குறைந்த

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ஜோடிகளிலில்லை. பவர் என்ஜின்கள் வைத்து வேலை நடத்தினார்கள். கவர்ன்மெண்டு எஞ்சினியருக்கும் ஏதோ தகவர்ப்படுத்து ஹைகோர்ட்டில் சூட்டு போட்டார். அப்பால் ருஜியாகி தீர்ந்தது.

“இப்போது டிஸ்ட்ரிக்ட் போர்டாபீசு முதலில் ரூ. 1,10,000-க்குத்தான் எஸ்டிமேட்டு. பேசுமண்டபத்தில் கிராக்காய்விட்டது. எல்லா பெரியோர்களும் வந்து சீர்திருத்தி ரூ. 2,00,000 வரை நடைபெற்றிருக்கிறது.

“இதுபோல எத்தனையோ விஷயம் இருக்கிறது. இப்போது வந்திருக்கிற கடைசிகாமித்தத்தில் குறித்த அரியூர் மேலக்கண்மாயிக்கு நஞ்சை ஏ. 145-53 செண்டு போட்டிருக்கிறது. சுமார் ரூ. 380-400 தான் ஜமாவாகக்கூடியது. இதற்கு ஒரு எஸ்டிமேட்டு ரூ. 6,475-ம், செண்டேஜ் சார்ஜ் ரூ. 1,068-ம், ஆக ரூ. 7,543-க்கு 1931-ம் வருஷ ஆகஸ்ட் மாதத்தில் நோட்டீஸ் கொடுத்தார்கள். அதை ஆசேகரித்த மேல் ரூ. 1,420-க்கும், செண்டேஜ் ரூ. 235 ஆக ரூ. 1,655-க்கு 1933-ம் வருஷ டிசம்பர்மீ 6-வியல் மரு நோட்டீஸ் வந்திருக்கிறது. இதுபோல பல காரியங்கள் கலெக்டரவர்கள் செய்யும் உத்தரவுகளை அப்போதுக்கப்போது புரோப்பரைட்டர்கள் கீழ்படிந்து நடத்தி வருகிறார்கள்.

“கலெக்டரானவர் புரோப்பரைட்டர்களிடம் செய்யும் எந்த உத்தரவுக்கும் இதுவரை என் அனுபவத்தில் பெரும்பாலும் கட்டுப்பட்டு நடந்துவந்திருக்கிறார்களேயன்றி வேறில்லை. இதற்காக ஒரு சட்டமே தேவையில்லை. மதுரை ஜில்லா புரோப்பரைட்டர்களுக்கும் இனாம்தார்களுக்கும் வார சிஸ்டமில்லை. நீண்டகாலத்து வருஷங்களுக்குமுன் ஏற்பட்டிருந்த ரொக்க தீர்வை தாரணையைத் தவிர வேறு வரும்படியில்லை. அதாவது விஸ்டில் கண்டபடி ரொம்ப குறைந்த வீதமே.

“வில்லேஜ் ஆபீஸர் கண்ட்ரோல் இல்லை. காலம் ரொம்ப கஷ்ட நிலைமையில் இருக்கிறது. புதிய லோகல் போர்டு ஆக்குப்படி செஸ்சுகள் அதிகம். கோர்ட்டு பீஸ் ஆக்குப்படி ஸ்டாம்புகள் அதிகமாயிற்று. சிப்பந்தி சிலவு அதிகம்.

“இந்த பில் எஸ்டேட் லாண்டு ஆக்ட் திருத்துவதற்கு முன்னோசனை செய்தது. அப்பால் எஸ்டேட் லாண்டு ஆக்ட் ரொம்ப பலமாய் திருத்தியும் இனாம்தார்கள் பரிமுதலாயிருக்கிறார்கள். இந்த சந்தர்ப்பத்தில் இந்த பளுவை சமத்த எண்ணுவது தர்மமல்ல.

“ஐதராலி என்ற ஓர் சாயபுடன் ஓர் விவகாரம் நடந்து வந்ததும் கவர்ன்மெண்டார் அனுசூலமாக காம்பர்மைஸ் செய்தோ பெண்டிக்கு இதற்குமுன் இந்த பில் யோசனை செய்த விஷயம்.”

* The hon. Sir ARCHIBALD CAMPBELL:—“The first point relates to the centage charges which cover the cost of the preparation of estimates and provision for the use of tools and plant and everything of that kind which cannot be included in the cost of the work done. The rate is re-examined from time to time to ensure that the centage is really what is necessary to cover the cost of expenditure on Public Works establishment and tools. There is no reason why other people should pay the cost of centage charges. Mr. Arasu pointed out that this Periyar scheme is intended to bring water to the ryotwari areas. As a matter of fact water has been supplied to various proprietary areas very much to the benefit of the proprietors. Although in many cases they did not ask for the supply by the lapse of time we must take it that their consent has been implied in the arrangements which have been made. It is too late for them to withdraw now. The system has been established on the assumption that the landowners desire to have their lands included in the ayacut. I would point out that, if the tanks had not been made part of the Periyar system, the landowners would have to maintain the tanks in proper order at their own cost entirely. That is their

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fundamental duty. The Estates Land Act provides that the ryots can compel the proprietors to maintain the tanks at their own expenses entirely. Under this Bill the Government propose to throw on the taxpayer of other districts a portion of the cost of repairs which ought really to be carried out by the proprietors themselves. This Bill does not provide for more than the actual restoring of the tank to efficiency without any further additions. I think, Sir, the financial assistance which Government propose to give under this Bill is very generous towards the owners of the tanks. It is quite possible for the owners to avoid any action being taken under this Bill when it is passed into law by simply carrying out their fundamental duty of keeping the tanks in proper order. By that means they will avoid the trouble and expense due to the enquiry being made by the Collector and the work being carried out under the supervision of the Public Works Department. This also meets the point that what the landowner gets from his wet land as the difference between the wet and the dry rates, is not so great as water-cess charged by the Government. It is not a question of how much each gets. We are relieving the zamindar of a portion of his liability and still he receives the same income. I suggested in the Select Committee that if the hon. Member, Mr. Muthu Chettiyar, would give up to Government all his tanks as they are and would convert the wet lands under them into dry lands, I should be very glad to take them over. Mr. Muthu Chettiyar obviously thinks that he is better off as he is, even if the Bill is passed into law as it is. In the case under the Railway Protection Act to which Mr. Muthu Chettiyar referred, the Executive Engineer determined what repairs the landowner should carry out to the tank but the Collector reduced the amount of the estimates which the Executive Engineer considered necessary. That only shows that the provisions of this Bill are not likely to lay an undue burden on the landowners affected. I beg to oppose this amendment."

The first part of the amendment was first put and lost.

The second part of the amendment was put and lost.

* The hon. Sir ARCHIBALD CAMPBELL:—"I beg to move—

'In line 4 of sub-clause 2 (a), for the expression "order under section 5 was issued," substitute the words "preliminary order was passed".'

"This is purely a drafting amendment, Sir."

The hon. Sir MAHOMED USMAN:—"I second it."

The amendment was put and carried.

* Mr. V. T. ARASU:—"I beg to move that—

'For sub-clause 8 (2) (b), substitute the following:—

"Then it shall be determined the total annual income during the three preceding faslis which shall have been received

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[Mr. V. T. Arasu]

by the landholder on the area for which the Government have levied water-cess for the use of the water so issuing at the rate prescribed for the irrigation with Periyar water of wet lands in whole inam and zamindari villages, and the total annual income which the landholder would have received if the abovesaid area were dry lands, at the rate at which similar lands in the same village have been assessed under the settlement, and find out the difference between the two amounts thus derived”.

“This is a point I mooted in the previous amendment. The wet rate collected by the landholder is evidently very low and in some cases 25 per cent of the water-rate collected by the Government. Therefore it is necessary and proper that the Government should take into consideration the actual amount the proprietor of the tank derives by way of quit-rent. That is the difference between the dry rate and the wet rate. If a particular piece of land has been dry he would have been receiving a fixed rate. Because it is classified rate he is receiving two rupees. Therefore the difference between the two is one rupee. In assessing the share this must be taken into consideration.”

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment in Tamil.

* The hon. Sir ARCHIBALD CAMPBELL:—“Sir, this motion is entirely 4 p.m. inconsistent with the principle of the Bill, namely, to divide the cost of the works without any complicated enquiry for the reason it is not proposed that it should depend on the income derived by the proprietor from the tank. We have aimed, as I have said before, at as simple a procedure as possible, which is also fair to all the parties concerned.”

The amendment was put and lost.

* The hon. Sir ARCHIBALD CAMPBELL:—“I beg to move—

‘that in the proviso to sub-clause 2 (b)—

“(a) in lines 1 and 2, for the expression ‘clause (d),’ the expression ‘sub-clause (d) of clause (i)’ be substituted; and

(b) in line 4, after the word ‘Collector’s,’ the word ‘final’ be inserted”.

Both these amendments are drafting amendments.

The hon. Sir M. KRISHNAN NAYAR:—“I second it.”

The amendments were put and carried.

Mr. V. T. ARASU:—“Mr. President, I beg to move—

‘that in sub-clause (c) of clause 2 . . .’

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* The hon. Sir ARCHIBALD CAMPBELL:—" May I ask if the amendment ^a is in order? Is it not consequential to the amendments rejected by the House? "

* The hon. the PRESIDENT:—" Has the hon. Member anything to say as to how it is relevant to this? "

Mr. V. T. ARASU:—" I do not move it, Sir."

* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, Sir, I beg to move—

that in illustration No. 1 under clause 8 (2) (c), in line 6 for the expression " order under section 5 is issued " the words " preliminary order is passed " be substituted '.

" This is another drafting amendment.

The hon. Sir M. KRISHNAN NAYAR:—" I second it."

The amendment was put and carried.

* Mr. K. R. VENKATARAMA AYYAR:—" I beg to move—

that in illustration No. 4, under clause 8, in lines 9 and 10, for the words " average area lying within their estates " the words " areas lying within their respective estates " be substituted.'

" This amendment is necessary since there is no question of average at all entering in this case as the whole ayacut is under irrigation."

The hon. Sir ARCHIBALD CAMPBELL:—" I second it."

The amendment was put and carried.

Clause 8, as amended, was put and carried.

Clause 9.

* Mr. V. T. ARASU:—" Mr. President, with your permission, I should like to move the amendment of which I have given notice in a slightly different form, as an earlier amendment to which it refers has been rejected by this House. The amendment would read as follows:—

' For the words " specified instalments " substitute the words, " annual instalments of amount which is not greater than the amount collected by the landholder as rent on land registered as wet under the tank minus the rent payable on those lands if they were registered as dry " . '

^a Mr. V. T. ARASU:—

Insert the following as sub-clause 8 (2) (c):—

" Each landholder concerned shall bear such proportion of the said total costs as the amount derived according to sub-clause 8 (2) (b) bears to the total annual income derived by the Government in the area determined under clause 8 (2) (a). Provided that in cases falling under clause (d) of section 6, the liability of the landholder concerned shall to the extent specified in the Collector's order under section 7 be borne by the persons and in the proportion specified in such order '.

and re-number sub-clause (c) as sub-clause (d).

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* The hon. the PRESIDENT:—"It is very difficult to follow if such long amendments are brought forward all on a sudden. The hon. Member may move it and explain the position clearly."

* Mr. V. T. ARASU:—"Sir, as I have already pointed out this change is necessitated on account of the fact that a previous amendment to which the present one refers, has been thrown out."

"Sir, I move my amendment. The object of my amendment is this: No instalment which the Collector may order the proprietor of a tank to pay should exceed the amount that he is actually getting by way of water-rate from out of the ayacut under the tank. Let me take a concrete example. For instance, take a tank with an ayacut of 50 acres registered as wet. Assume for the sake of argument that the total amount of revenue collected by the landholder in respect of the 50 acres is Rs. 100 and that the dry rate for similar lands situated in a neighbouring village is Re. 1 per acre. The difference between the amounts derived according as the rate is a wet rate or a dry rate, is Rs. 50. All that the amendment seeks to effect is that in no case, should a single instalment ordered by the Collector be greater than this Rs. 50. Suppose the total cost of the repair comes to Rs. 10,000. If the Collector orders that this Rs. 10,000 should be paid in four monthly instalments of Rs. 2,500, it would be absolutely impossible for many proprietors to fulfil the obligation. Therefore my amendment lays down that it shall be obligatory on the part of the Collector to collect the amounts due from a landholder only in annual instalments and that no one of those instalments should exceed the amounts that the landholder actually gets as wet rate (the difference between dry and wet lands of the same taram) for lands registered as wet under that tank."

"This suggestion is not my own, Mr. President. For this, I have the support of no less a person than Mr. Hall, who was appointed Special Officer to go into this question. At page 19, paragraph 4, sub-paragraph (3) of his report, Mr. Hall clearly lays down:

'The cost of the repairs executed by the Collector may be collected from the proprietor in annual instalments equal to the difference as determined by the Collector between the amount which is payable to the proprietor as rent on land registered as wet under the tank and the amount which would be payable as rent on those lands if they were registered as dry.'

"Mr. Hall is definite about the matter. He definitely says that the Government would not be justified in asking the proprietor of a tank to pay the cost of the repairs of the tank in heavier instalments than what he is actually getting out of the land. I feel, Sir, that no further words are required from me to commend this amendment to the acceptance of the House."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment in Tamil as follows:—

"ஸ்பெஷலாயிசர் மிஸ்டர் ஹால் துரையவர்கள் இந்த அபிப்பிராயத்தை ரிப்போர்ட்டில் சொல்லியிருக்கிறார்.

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“லாண்டு ஹோல்டருக்கு வரும் வரும்படியில் பேஷ் கிஸ்தி குமாஸ்தா வகையுறு சிலவு, கோர்ட்டீஸ், ஸ்டாம்பு சிலவு, ஸ்டேஷனரி நிலுவை சேதம் வேறு இருக்கிறது. லோன்ஸ்கள் சர்க்காரில் கொடுப்பதுக்கும் இன்ஸ்டால்மெண்டாக வாங்குகிறார்கள்.

நஞ்சையில் வரும் பூறு தீர்வையில் பேஷ் கிஸ்தி நீக்கி பாக்கியை செலுத்தும் படியாவது செய்யலாம்.”

* The hon. Sir ARCHIBALD CAMPBELL:—“ Sir, the Mover of this amendment has quoted from Mr. Hall's proposals. If he would read the whole of the paragraph to which he has referred, he would find that, according to Mr. Hall's proposal, there is laid on the landholder the duty of paying the whole cost of the repairs, whereas under our scheme we propose to defray a portion of it. The proposals now put forward in this amendment will again involve us in another complicated procedure. It seems to me that it is better to leave the question in the hands of the Collector. We may trust the Collector not to fix any unreasonable amounts.”

The amendment was put and lost.

Clause 9 was put and carried.

Clause 10 was put and carried.

Clause 11.

* Mr. V. T. ARASU:—“ Sir, I beg to move the following amendment:—

“ For the word and figure “ section 9,” substitute the words and figures “ section 8 or 9 ” and add the following new sub-clauses:—

“(d) That the tank does not require any repairs;

(e) that measures other than those decided by the Collector and the Local Government would be sufficient for repairs of the tank and its restoration to efficiency ”.”

When I moved an amendment to clause 6 that the words ‘ any other plea ’ may be added, my hon. Friend, Mr. Venkatarama Ayyar, objected on the reason that I should be specific and that room should not be allowed for all possible pleas to be raised. The amendment here seeks to lay down two pleas which shall be open to the landholder to raise whenever a suit is filed in a Civil Court. It must be admitted on all hands that the addition of these two sub-clauses would not in any way complicate matters as the hon. the Revenue Member has too often been using those words. I hope he would not come forward and say that this amendment would complicate matters. We are specific about it. It should be open to the proprietor of the tank to raise these two pleas. The Government would not in any way be affected by accepting this amendment.”

Rao Bahadur P. C. MUTHU CHETTIYAR seconded it in Tamil.

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* The hon. Sir ARCHIBALD CAMPBELL:—"Sir, I must oppose the amendment. If this proposal is adopted, there would be delay in carrying out the repairs. We consider that these are matters which can well be settled by the Collector of the district. The Collector would be able, after receiving the orders of the Government, to see that the repairs are carried out. If this amendment is carried, he will not be able to carry out the repairs; he will have to wait till the Civil Court has decided the case which may be brought under this amendment. We have provided in the Bill that the Civil Court might decide the question of the portion of the cost to be paid by the landholder and whether the repairs should be carried out at the cost of some other person according to law, local custom or contract and the Civil Court cannot decide on the necessity for the execution of the repairs."

The amendment was put and lost.

* The hon. Sir ARCHIBALD CAMPBELL:—"Sir, I beg to move the following amendment:—

'In line 2 of the proviso to clause 11 (1), for the words "an order," substitute the words "a preliminary order" and omit the comma.'

This is merely a drafting amendment as we have already provided for a preliminary order under section 5."

Mr. J. A. THORNE:—"I second it."

The amendment was put and carried.

The hon. Sir ARCHIBALD CAMPBELL:—"Sir, I beg to move the following amendment:—

'After the expression "section 6" at the end, add the words and figure "or section 7".'

This amendment is intended to cover cases which had been adjourned after the enquiry was begun."

Mr. J. A. THORNE:—"I second it."

The amendment was put and carried.

* Mr. V. T. ARASU:—"Sir, I beg to move the following amendment:—

'To the proviso to clause 11 (1), add the following:—

"But he shall be allowed to institute the suit if he satisfies the Court that he has been prevented by sufficient cause from raising the aforesaid grounds before the Collector."'

Under clause 11 in certain cases the landholder or the proprietor of the tanks, as the case may be, may file a suit in a Civil Court against the decision of the Collector. Subject to certain reservations he may file a suit. What is sought to be done by this amendment is that the

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landholder shall be at liberty to raise fresh pleas also before the Court, pleas which were not raised by him before the Collector. This is an amendment which ought to be accepted."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment in Tamil.

* The hon. Sir ARCHIBALD CAMPBELL:—"I think, Sir, that there is not sufficient reason for accepting this amendment. The landholder has ample opportunities of raising objections that he is not the landholder of the estate in which a tank is situated and that according to law, local custom or contract, the repairs should be carried out by some other person. It seems to me that these are pleas which ought to be raised in the first instance before the Collector and if they were not raised, they should not be raised before the Civil Court."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"Sir, the provisions of the Bill provide for the filing of a suit in a Civil Court. I do not see any reason why the person filing a suit in a Civil Court should be precluded from raising all legal objections. So far as the Bill is concerned, no doubt a small remedy is provided for taking certain objections that he is not the landholder or that the repairs should be carried out by some other person. If this amendment is not carried, the landholder must, at the first instance itself, consult the best vakil, find out all possible objections that could be urged at any time, come before the Collector and file his application. I take it that the objections that should be raised before the Collector should be practical objections and not technical or legal objections. The landholder is expected to go to the Collector and point out the practical difficulties. Having failed with the Collector, when once the matter goes to a Court, it must be open to him to raise all sorts of legal objections. Otherwise the Government would be driving the landholder to consult the best Advocate-General before he goes to the Collector and raise his objections. I think the landholder should be allowed to go to the Collector and put forward his own point of view. If he fails with the Collector, he should go to Court and he must be allowed to raise such objections as are likely to be necessary and as are advised by his legal advisers. To say that only the two pleas referred to should be raised would be to take away practically a valuable right. I do not think there is anything in this Bill which makes it necessary that the party, when he goes to the Collector, should raise all objections that will have to be raised in a Civil Court. Even Civil Courts allow time to file fresh issues. You go to the Collector; you prefer some objections; he may regard them or he may not regard them. If the Collector decides against him, it must be open to the landholder to raise all objections as are suggested by the best legal adviser. Even in Civil Courts, time is allowed for filing of fresh objections. I think it would be very undesirable that the Collector should be constituted as an authority much higher than the Civil Courts; parties should be entitled to raise all sorts of objections before the Civil Court."

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The amendment was put and declared lost.

A poll was demanded by Mr. Basheer Ahmed Sayeed and the House divided thus:— 4-30 p.m.

Ayes.

1 Mr. Yakub Hasan.	10 Diwan Bahadur B. Muniswami
2 „ K. R. Venkatarama Ayyar.	Nayudu.
3 Khan Bahadur Schammad Sahib Bahadur.	11 Mr. P. V. Krishnayya Choudari.
4 Mr. V. T. Arasu.	12 „ J. Kuppuswami Choudari.
5 „ A. B. Shetty.	13 „ Mahboob Ali Baig.
6 Khan Bahadur Khalif-ul-lah Sahib Bahadur.	14 Rai Sahib C. Kolanda Reddi.
7 Rao Bahadur P. C. Muthu Chettiyar.	15 Mr. C. R. Parthasarathi Ayyangar.
8 Mr. Basheer Ahmed Sayeed.	16 „ G. R. Premayya.
9 „ K. A. Nachiyappa Gounder.	17 „ K. Pattabhiramayya.
	18 „ K. Koti Reddi.
	19 „ G. Lakshmana Reddi.

Noes.

1 The hon. Sir Mahomed Usman.	19 Rao Sahib V. I. Muniswami Pillai.
2 „ Diwan Bahadur Sir M. Krishnan Nayar.	20 Mr. M. Vedachala Mudaliyar.
3 „ Sir Archibald Campbell.	21 „ B. P. Sessa Reddi.
4 „ Sir Hopetoun Stokes.	22 „ G. Sriramulu.
5 „ Diwan Bahadur S. Kumaraswami Reddiyar.	23 „ P. V. Rajagopala Pillai.
6 „ Mr. P. T. Rajan.	24 „ V. G. Vasudeva Pillai.
7 Mrs. K. Alamelumangathayaramma.	25 „ P. Bayappa Reddi.
8 Diwan Bahadur V. N. Viswanatha Rao.	26 Khan Bahadur T. M. Moidoo Sahib Bahadur.
9 Mr. J. A. Thorne.	27 Rao Sahib V. Dharmalingam Pillai.
10 „ H. M. Hood.	28 Rao Bahadur D. Krishnamurti.
11 „ R. Madanagopal Nayudu.	29 „ P. Subrahmanyam Chetti.
12 „ E. Conran Smith.	30 The Zamindar of Kirlampudi.
13 „ T. Sundara Rao Nayudu.	31 Diwan Bahadur A. Appadurai Pillai.
14 „ G. Ranganatha Mudaliyar.	32 Rao Sahib Pandit Ganala Ramamurti.
15 „ M. Devadasan.	33 Mr. A. Ramakrishna Reddi.
16 Rao Sahib N. Siva Raj.	34 Rao Bahadur C. Natesa Mudaliyar.
17 Subadar-Major S. A. Nanjappa Bahadur.	35 Mr. C. Basu Dev.
18 Rao Bahadur R. Srinivasan.	36 Rao Sahib D. V. Narasimhaswami.

Ayes 19. *Noes* 36.

The amendment was lost.

* Mr. K. R. VENKATARAMA AYYAR:—“ I move—

‘ In clause 11, sub-clause (2), proviso, in line 4, for the words and figure “ the proviso to section 6,” the words and figure “ second proviso to section 7 ” be substituted ’.

Sir, it is mere drafting amendment. I think by mere oversight, the Drafting Department overlooked the fact that, what was section 6 before, has now come to be numbered as section 7.”

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* The hon. Sir ARCHIBALD CAMPBELL:—" May I suggest a small modification of the amendment, in this way:—

' In clause 11, sub-clause (2), proviso, in line 4, for the words and figure " in the proviso to section 6 " the words and figures " in section 6 or section 7 " be substituted '."

* The hon. the PRESIDENT:—" Is Mr. Venkatarama Ayyar withdrawing his motion? "

Mr. K. R. VENKATARAMA AYYAR:—" I am adopting the suggested correction in my amendment."

* The hon. the PRESIDENT:—" Then the hon. Member may move it."

* Mr. K. R. VENKATARAMA AYYAR:—" Sir, I move that in the proviso to sub-clause (2) of clause 11, for the words and figure ' in the proviso to section 6 ' the words and figures ' in section 6 or section 7 ' be substituted."

The hon. Sir ARCHIBALD CAMPBELL:—" I second it."

The amendment was put and carried.

Clause 11, as amended, was put and carried.

Clause 12.

* Mr. V. T. ARASU:—" Mr. President, Sir, clause 12 runs thus:—

' Whenever it appears to the Collector that any tank is in such a state of disrepair as to be in imminent danger of breaching, he may by summary order cause to be carried out the measures of repair which in his opinion are necessary to prevent the tank from breaching and shall without delay inform every landholder and other person concerned of the action which he is taking. The provisions of this Act shall thereupon apply as though such repairs had been ordered to be executed by the Local Government under section 8.'

" I move—

' that this clause be omitted altogether.'

" Provisions have been made in this Bill to carry out repairs as expeditiously as possible, and in view of that, it is not known why this clause 12 finds a place here. If this clause is allowed to remain as it is, the whole purpose of this Bill would be defeated and the proprietor of a tank would be entirely at the mercy of the Collector and the Collector for the time being would get over all the procedure laid down under this Bill by taking action under this clause. This is the danger of leaving this clause as it is. As my hon. Friend, Mr. Muthu Chettiar, pointed out in an earlier speech of his, this clause is like a pinch of poison added to a cup-full of milk. Therefore I move that this clause be omitted."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the motion in the following Tamil speech:—

இந்த பில்லில் ரோட்சில் ரயில்வே பாதுகாப்பு ஆக்ட் 1886-ம் வருடத்திய 4-வது ஆக்ட் 11-வது பிரிவுப்படி இதில் சொல்லியிருப்பதாக செர்க்கிரூர். ரயில்வே சந்தர்ப்பம் பெரியாருக்கு யோசிக்கத்தக்கதில்லை.

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* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, Sir, I must oppose this motion. This clause is most necessary, especially in cases of emergency which we all know arise from time to time owing to heavy rainfall or cyclones, floods and other catastrophes of that kind. My attention was drawn by the Collector to the fact that in 1932, owing to heavy rains, a certain tank breached and it could not be repaired at once and the result was that the right bank of the third branch channel was breached. That could possibly have been avoided if the Collector had had power to carry out urgent repairs. For these reasons, I oppose this amendment."

Mr. BASHEER AHMED SAYEED:—" Sir, the reasons given by the hon. the Revenue Member are not at all convincing. If the Act is going to be worked in the manner in which it is intended to be worked, then there shall be no emergent cases arising at all. If the executive officers are keeping in close touch with the existing state of affairs as they obtain from year to year and from period to period, and if under section 8 orders have been passed for repairing the tanks from time to time, I do not think there is any need for this clause 12. If there is an emergency, that emergency ought not to have been allowed to arise. The hon. the Revenue Member stated that floods will come and the tanks will breach. These floods are not an every-day occurrence, and only such of the tanks as have not been kept in proper repair are likely to cause any breach; otherwise, if the Collector is prompt in his duties, or for the matter of that, if his subordinates are keeping themselves in close touch with the conditions of the tanks, there could be no emergency at all. If the minor irrigation officers have not attended to the tanks for years together, if kudimaramat has not taken place and if unusual floods come, then only the tanks will breach. On the other hand, if this Act is going to be worked earnestly, from year to year and from month to month, if there is going to be supervision over the existing tanks, such an emergency provision is unnecessary and uncalled for. Besides, this provision nullifies the effect and the principle involved in the elaborate procedure prescribed in the other clauses. I therefore say that we must either have clause 8 or this clause 12; if, however you want to retain clause 12, do not mention it as mere emergency provision, but give executive power to the Collector to carry out repairs and then prescribe the procedure to collect the quota from the zamindars concerned. That would be a fair way of dealing with all concerned. But to have a procedure in clause 8 and then again to assume powers for emergencies, does not seem to be fair. I suggest therefore, Sir, that this clause may safely be omitted."

The amendment was put and lost.

Clauses 12, 13 and 14 were put and carried.

Preamble.

* Mr. V. T. ARASU:—" Mr. President, Sir, I move—
"that in the Preamble, after the word "landholders", the words
"and which are being maintained by them" be added."

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" If this amendment is incorporated, the Preamble would read as follows:—

' Whereas it is expedient to provide for the preservation in efficient condition of tanks belonging to landholders and which are being maintained by them and which are used by the Government as part of the Periyar system of irrigation in the Presidency of Madras.'

" Sir, it is desirable that it must be made clear that the landholders are the proprietors of the tanks and that the Government are temporarily using them for purposes of this system. Lest the proprietary rights of the landholders should go by default, as a measure of abundant precaution, this amendment is sought to be introduced."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment in Tamil.

* The hon. Sir ARCHIBALD CAMPBELL:—" Sir, I must oppose the motion. If the tanks are really owned by the landholders who are maintaining these tanks, there would not be any necessity for this Bill at all. But, the difficulty is that these landholders are not maintaining these tanks in proper order."

* Mr. V. T. ARASU:—" The hon. the Revenue Member said that landholders have not been maintaining their tanks in a state of repair. This statement, I believe is made for the first time to-day."

The hon. Sir ARCHIBALD CAMPBELL:—" I have said that before."

* Mr. V. T. ARASU:—" It is nearly 38 years since the Periyar system was inaugurated. When earlier in the day I put a straight question whether the Government can quote instances in which these tanks have been neglected to such an extent as to cause danger to the Periyar irrigation system, the hon. Member said that the Government have not till now spent any money on the repair of any of these tanks. That is the straight answer that was given by the hon. the Revenue Member. I am surprised that the hon. Member should make this statement at this stage."

The amendment was put and lost.

The Preamble was put and carried.

The hon. Sir ARCHIBALD CAMPBELL:—" I beg to move that the Bill, as amended, be passed into law."

The hon. Sir MAHOMED USMAN:—" I second it, Sir."

The motion was carried and the Bill was passed into law.

VII.—REPORT OF THE MADRAS SERVICES COMMISSION, 1932-33.

* The hon. Sir ARCHIBALD CAMPBELL:—" Sir, I beg to move that the Report ^a of the Madras Services Commission for the year 1932-33, submitted with reference to section 20 of the Madras Services Commission Act, 1929 (Madras Act XI of 1929), be taken into consideration.

" I make this motion under the provision of law I have already quoted."

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The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I second the motion, Sir."

* Mr. K. R. VENKATARAMA AYYAR:—" Sir, the report of the Madras Services Commission draws attention to certain irregularities that have occurred in the course of the working of the Act and the statutory rules. In particular, the Commission in the closing paragraph of their report draw attention to the fact that the Government have turned down the recommendations of the Commission in certain cases. That does not tend well at all. The fear expressed is that political influences are coming into operation and impeding the proper effectuation of the policy of the Act and of the statutory rules. To the extent that instances have been given in the report of the Commission, it does seem objectionable that after having set up a Commission under a Statute and asked them to deal with certain cases, the Government should turn down the recommendations of the Commission and violate the statutory rules, which are as much binding upon the Government as upon others. Various cases have been given in the course of the report of the rules being violated by appointing authorities. The result of these violations is that less deserving persons have been appointed and more deserving persons who would be entitled are given the go-bye. It is for avoiding such undesirable results that the Commission was set up and statutory rules were enacted. If the appointing authority should be at liberty to give the go-bye to these statutory rules, then there is no object in setting up a commission and in prescribing these rules. The report says that different standards of qualification have been prescribed by Government by their amendment of the statutory rules for different communities. A higher standard has been prescribed, it would appear, for Brahmans and Hindu Non-Brahman communities and a lower standard of qualification for other communities. Now, it is quite enough an inroad that rotations have been prescribed. Even that might have a tendency to tell adversely upon efficiency. But, subject to the understanding that the qualifications being the same for candidates from all communities, that candidates should be preferred in a certain rotation involves a certain amount of equality of opportunities and fairness as amongst the various communities, but to go further and say that Brahmans and Non-Brahman Hindus should obtain a certain percentage of marks to become eligible and that members of other communities might be qualified even if they obtain only a lower percentage of marks, is to cut efficiency at its very root. (Mr. Basheer Ahmed Sayeed: ' Question. ') My Friend, Mr. Basheer Ahmed, says ' Question. ' I say, if you will take candidates who get 15 per cent marks as eligible, provided their birth is such and such, and that the candidates of certain other communities to become eligible should obtain 35 per cent, it means that you have no consistent idea as to what constitutes efficiency. It cannot be that an ill-qualified candidate is efficient, provided he belongs to a particular community by birth. I think, it is obvious that there cannot be different standards of qualification for different communities but subject to the same standard being observed for all communities, justice as amongst the

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various communities may be ensured by some kind of rotation. Even that is only possible as a temporary rule of expediency for a time.

"Sir, the report further says that ineligible persons have been appointed and promoted and that in order to cover such cases the rules have been amended subsequently and retrospective effect has been given to such amendments. The Commission very properly say, in regard to such cases, that they cannot too strongly deprecate such an amendment of the statutory rules so as to suit particular individuals. I entirely endorse that very strong statement of the Commission.

"Now, with reference to the Queen Mary's College, the Natural Science Professor, who was recommended by the Commission being a British Indian candidate, was given the go-bye and the appointment went to a Native State candidate, who was not recommended. Either don't go to the Services Commission for their recommendation, or give effect to their recommendation. Otherwise, you seem to set up a statutory commission only to condemn them. Here again, a statutory rule which prescribed the previous permission of the Government for the Native State candidate to apply at all, would appear to have been violated.

"The Commission pointed out the desirability of amending section 11 of the Statute which as it now stands, is a handicap in the way of all eligible candidates being considered by them. I think it is time that section 11 were amended suitably to the requirement pointed out by the Commission."

Mr. G. LAKSHMANA REDDI:—"Mr. President, ..."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"May I know whether it is the idea of Government to go on with the discussion or to give another day especially when there are a number of people anxious to speak on the subject?"

* The hon. Sir MAHOMED USMAN:—"The discussion on this and the remaining item on the agenda will continue on the 21st instant, after the presentation of the Budget is over."

* The hon. the PRESIDENT:—"The House will adjourn and meet again at 11 a.m. on the 21st instant."

VIII.—PAPERS LAID ON THE TABLE OF THE HOUSE.

^a 1. *Statement showing area irrigated under each tank falling within the scope of the Periyar Irrigation Tanks (Preservation) Bill (Bill No. 16 of 1933).*

^b 2. *List of posts on Rs. 500 per mensem and above created during the quarter ending 31st December 1933.*

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

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APPENDIX I.

[Vide answer to question No. 611 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 5th February 1934, page 445 supra.]

Annexure I.

List of district boards which are working at a deficit and the amount of the deficit in the general funds of each.

District Board.	Amount of deficit in ordinary revenues according to the budget estimate, 1933-34.
	RS.
1 Anantapur	28,590
2 North Arcot	5,060
3 South Arcot	62,910
4 Chittoor	17,390
5 Coimbatore	73,010
6 Cuddapah	6,070
7 Ganjam	19,475
8 South Kanara	74,170
9 Madura	1,68,050
10 Malabar	19,260
11 Nellore	42,530
12 Trichinopoly	1,30,530

Annexure II.

A. List of taluk boards which have recurring deficits in revenue according to the budget estimate for 1933-34.

District and taluk boards.	District and taluk boards.
Anantapur—	Cuddapah—
1 Gooty.	24 Jammalamadugu.
2 Kalyandrug.	25 Rajampet.
3 Dharmavaram.	26 Siddhavattam.
4 Penukonda.	27 Proddattur.
5 Madakasira.	28 Cuddapah.
Arcot, North—	Ganjam—
6 Gudiyattam.	29 Goomsur.
7 Tiruppattur.	Godavari, East.
8 Cheyyar.	30 Tuni.
9 Wandiwash.	Godavari, West.
10 Arni.	31 Narasapur.
11 Vellore.	Guntur—
Arcot, South—	32 Gurzala.
12 Gingee.	33 Vinukonda.
Bellary—	34 Guntur.
13 Adoni.	35 Tenali.
14 Alur.	36 Repalle.
15 Bellary.	Kistna—
16 Kudligi.	37 Bezwada.
17 Hadagalli.	38 Nandigama.
Chingleput—	Kurnool—
18 Tiruvallur.	39 Pattikonda.
19 Sriperumbudur.	40 Dhone.
Coimbatore—	41 Koilkuntla.
20 Bhavani.	42 Sirvel.
21 Pollachi.	43 Markepur.
22 Udamalpet.	44 Cumbum.
23 Kollegal.	45 Kurnool.

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District and taluk boards.

Madura—

- 46 Dindigul.
- 47 Madura.
- 48 Palni.
- 49 Periyakulam.
- 50 Tirumangalam.

Malabar—

- 51 Chirakkal.
- 52 Kottayam.

Nellore—

- 53 Darsi.
- 54 Podili.
- 55 Kanigiri.
- 56 Udayagiri.
- 57 Atmakur.
- 58 Gudur.
- 59 Rapur.
- 60 Venkatagiri.
- 61 Sulturpet.
- 62 Nellore.

Ramanad—

- 63 Srivilliputtur.
- 64 Ramanad.
- 65 Sivaganga.
- 66 Tiruppattur.

Salem—

- 67 Hosur.
- 68 Krishnagiri.

District and taluk boards.

- 69 Dharmapuri.
- 70 Harur.
- 71 Attur.
- 72 Tiruchengodu.
- 73 Omalur.

Tanjore—

- 74 Papanasam.
- 75 Kumbakonam.
- 76 Nannilam.
- 77 Negapatam.
- 78 Mannargudi.
- 79 Pattukkottai.

Tinnevely—

- 80 Sankarankoyil.

Trichinopoly—

- 81 Karur.
- 82 Kulittalai.
- 83 Perambalur.
- 84 Trichinopoly.

Vizagapatam—

- 85 Vizianagram.
- 86 Palkonda.
- 87 Salur.

Chittoor—

- 88 Vayalpad.
- 89 Chandragiri.
- 90 Tiruttani.

B. List of taluk boards which are on the border line, i.e., those which have a surplus of below Rs. 1,000 according to the budget estimate for 1933-34.

District and taluk boards.

District and taluk boards.

Anantapur—

- 1 Kadiri.
- 2 Hindupur.

Arcot, North—

- 3 Polur.
- 4 Chengam.

Arcot, South—

- 5 Tindivanam.

Bellary—

- 6 Siruguppa.
- 7 Hospet.
- 8 Harpanahalli.

Chingleput—

- 9 Ponneri.
- 10 Chingleput.
- 11 Madurantakam.

Coimbatore—

- 12 Dharapuram.
- 13 Palladam.

Cuddapah—

- 14 Pulivendla.

Ganjam—

- 15 Chicacole.
- 16 Parlakimedi.
- Godavari, East—
- 17 Rajahmundry.
- 18 Pithapuram.

Godavari, West—

- 19 Ellore.
- 20 Chintalapudi.

Guntur—

- 21 Narasaraopet.

Kanara, South—

- 22 Udipi.
- 23 Karkal.

24 Mangalore.

25 Puttur.

Kistna—

- 26 Kaikalur.

Kurnool—

- 27 Nandyal.

Malabar—

- 28 Ponnani.

Nellore—

- 29 Kavali.
- 30 Kovur.

Ramanad—

- 31 Tiruvadanai.

Tanjore—

- 32 Shiyali.

Trichinopoly—

- 33 Lalgudi.
- 34 Udayarpalayam.

Vizagapatam—

- 35 Parvatipuram.
- 36 Bobbili.

Chittoor—

- 37 Madanapalle.
- 38 Punganur.
- 39 Palmanur.

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APPENDIX II.

[Vide answer to question No. 613 asked by Mr. M. B. Rangaswami Reddi at the meeting of the Legislative Council held on the 5th February 1934, page 446 supra.]

Annexure.

District, name of taluk boards which had a revenue deficit before the coming into force of the Madras Local Boards (Amendment) Act, 1930.	District, name of taluk boards which had a revenue deficit before the coming into force of the Madras Local Boards (Amendment) Act, 1930.
North Arcot—	South Kanara—
1 Vellore	25 Mangalore.
2 Cheyyar.	26 Kasargod.
3 Tiruvannamalai.	27 Pattur.
4 Tiruppattur.	28 Udipt.
South Arcot—	29 Karkal.
5 Vriddhachalam.	Kurnool—
Bellary—	30 Kurnool
6 Bellary.	31 Nandyal.
7 Harpanahalli.	Madura—
8 Adoni.	32 Madura.
Coimbatore—	Malabar—
9 Coimbatore.	33 Calicut.
10 Palladam.	34 Ernad.
11 Gobichettipalayam.	35 Ponnani.
Cuddapah—	36 Palghat.
12 Cuddapah.	Nellore—
13 Rajampet.	37 Kandukur.
14 Badvel.	Tanjore—
15 Ra. achoti.	38 Kumbakonam.
16 Proddatur.	39 Mayavaram.
17 Jammalamadugu.	Trichinopoly—
East Godavari—	40 Musiri.
18 Pithapuram.	41 Perambalur.
19 Peddapuram.	42 Udaiyarpalayam.
West Godavari—	Chingleput—
20 Ellore.	43 Chingleput.
21 Tadepalligudem.	44 Saidapet.
Guntur—	Chittoor—
22 Guntur.	45 Chittoor.
23 Sattenapalle.	Tinnevelly—
24 Ongole.	46 Sermadevi.

APPENDIX III.

[Vide answer to question No. 627 asked by the Kumararaja of Venkatarigiri at the meeting of the Legislative Council held on the 5th February 1934, page 453 supra.]

Extract from the report of the Collector of Nellore, R.C.

No. B-7-5062/33, dated 2nd December 1933.

1. The cyclonic storm on the afternoon of the 17th November with the wind coming from the west and north-west created a large wave in the Kanigiri reservoir. The impact of this wave accompanied by a terrific wind broke down 22 out of the 27 low level vents of the Maldevi escape. Wind is unusual from this quarter. In the 1927 cyclone the wind came from the opposite direction. The level of the

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water in the reservoir before the breach was 19·00 feet and as the sill level is 13·00 feet, 6 feet of water rushed through the breach along the course of the Maldevi drain and spread over a width of 2 to 3 miles on either side of the drain to a length of about 10 miles to the railway line and of about another 20 miles to the coast. The flood extended over an area of about 60 square miles but the water gradually found its way into the sea and within a week had completely disappeared, the level of the reservoir having fallen with sill level of 13 feet.

3. (b) It was at first estimated that crop on about 2,335 acres was submerged and that crop on about 1,000 acres would suffer. After the water receded however, the Tahsildar inspected the affected area and now reports that there would be no loss of crop on more than 200 acres. This is confined to the fields on either side of and near the Maldevi drain.

Figures of anticipated remissions of revenue have been called for from the Tahsildar, Kovur, and his reply is awaited. As the extent on which crop was lost is now reported to be not more than 200 acres, the approximate amount of the remission may be estimated at about Rs. 1,000.

There will be no necessity to grant advances to cultivators on a large scale. I have so far received no applications for loans to repair the lands affected. Any individual application will be considered and disposed of speedily and application for additional allotment will be made, if necessary.

Copy of letter No. 1851, dated 21st November 1933, from the Executive Engineer, Nellore division, to the Chief Engineer for Irrigation, Chepauk, Madras.

Out of 27 low levelled vents at sill 13·00 feet and 4 high level vents at sill 18·00 feet (the latter having been built some years after the project was completed in 1886). Twenty-two vents from the south or R.F. side have been washed away clean of the sill of rock levelled up to 13·00 feet. Of the others counting from left or north, all the 4 high levelled vents and two of the low levelled vents are intact. The third low levelled vent has cracked vertically at the Crown and the fourth at the northern haunch. The fifth and the last of the surviving vents appear intact for the present. There were no abutment piers and all the balance of 22 vents have been carried away.

Observation from either end shows that there is no scour below sill. The collapse is due to the fearful impact of the waves set up by the

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terrific gale blowing from west or north-west direction. During 1927 cyclone the storm came from east and there was no danger to the eastern shore of the Kanigiri reservoir.

* * * *

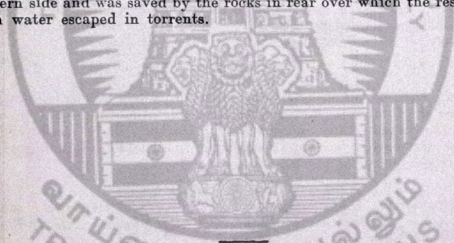
In addition to the above the Kanigiri reservoir suffered damages as follows:—

Washing away of revetment about 5,000 square feet in five patches between miles 4/7 and 5/2, the site of southern channel head.

At 6/1 100, in the south of eastern channel head, for about 100 feet all the revetment parapet wall, all the top or crest and up to 3 or 4 feet of the rear slope have been washed away.

If the collapse at the low level escape did not occur, it is almost certain that the bund would have given way here and the eastern channel head would have been in danger. The waves had risen even to 10 feet over the platform of the escape, i.e., up to 107 feet. In spite of rocks in outcrops in the rear, the breach would have scoured down to bed level and Buchireddipalem would have been washed away.

The eastern channel head itself was badly outflanked on the northern side and was saved by the rocks in rear over which the reservoir splash water escaped in torrents.



வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

APPENDIX IV.

[Vide answer to question No. 630 asked by Mr. P. V. Krishnayya Choudari at the meeting of the Legislative Council held on the 5th February 1934, page 456 supra.]

QUESTIONNAIRE

1. What are the principal agricultural products of your district ?
 - (a) State their prices at the harvest time of fasli 1341.
 - (b) State their prices at the harvest time of fash 1342.
 - (c) State their prices in October 1932.
 - (d) State their prices in October 1933.
2. Which of the principal agricultural products mentioned in question (1) were adopted for the purpose of calculating the commutation rate at the time when your district was resettled ?
3. What is the condition of the principal agricultural crops which are now standing in your district and what are the prospects for their harvest ?
4. Do the current prices of the principal agricultural crops of your district show a tendency to rise or a tendency to fall ? If so, is the tendency marked ?
5. Do the current prices generally show a tendency to rise or to fall ? If so, is the tendency marked ?
6. Give the figures of faslis 1340, 1341 and 1342 for sales of (a) movable property and (b) land under the Revenue Recovery Act.
7. Is insolvency increasing ? In giving figures of insolvency proceedings for recent years distinguish between traders and agriculturists and among the latter between actual cultivators and larger landholders.
8. Has the value of land fallen ? Compare the most recent figures of (a) sale values and (b) lease values with earlier figures.
9. Is there anything to indicate that the indebtedness of the agricultural population is increasing ? If so, what is there to indicate that this is so ? Distinguish between actual cultivators and larger landholders. Give such figures for faslis 1340, 1341, 1342 and 1343 (up to date) as you may be able to obtain in support of your answer from important banks and co-operative institutions.

Question numbers.

Answers.

GANJAM DISTRICT.

1.	Paddy.	Ragi.	Groundnut.	Greengram.	Gingelly.	Horsegram.
	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER GARCE.	SEERS PER RUPEE.	SEERS PER RUPEE.	PER IMPERIAL MAUND.
	RS.	RS.				RS.
(a)	1-82	1-56	47	13	9	1-83
(b)	1-80	1-48	44	25	11	2-52
(c)	1-82	1-48	44	13	9	2-50
(d)	1-71	1-46	33	19	12	1-59

2. Paddy, Ragi.
3. Very good—Generally very satisfactory.
4. Stationary.
5. Almost stationary.
- 6.

	(a) Movables.		(b) Land.	
	Estimated value.	Amount realized.	Estimated value.	Amount realized.
	RS.	RS.	RS.	RS.
Fasli 1340	404	388	1,501	1,102
Fasli 1341	76	72	1,725	618
Fasli 1342	69	62	4,796	4,025

7. Increasing—Increased by about 60 per cent. Insolvents are all traders with the exception of 5 or 6 who are agriculturists. Among the agriculturists, one is a non-cultivating ryot who has lost money in paddy trade. The others are small ryots who have contracted debts for marriages, etc. Their debts are not considerable.

8. Fallen.

	Fasli 1341.	Fasli 1342.	Fasli 1343.
	RS.	RS.	RS.
Sale value per acre	430	419	338
Lease value per acre	23	21	18

9. Not possible to say—From statistics furnished by co-operative societies, it will be seen that the average indebtedness, per member has gone down from Rs. 70 to Rs. 58 per member during last four years. This is not a sign of prosperity owing to the restrictions exercised by certain financing banks in sanctioning loans. There has been a marked increase in overdues. The reluctance of co-operative societies to grant loans has not had the effect of reducing the total indebtedness but has merely resulted in an increasing number obtaining loans from sowcars. The burden of debt is more crushing because of the fall in prices and of the high rates of interest charged by sowcars.

VIZAGAPATAM DISTRICT.

1.	Paddy.	Cholam.	Cumbu.	Ragi.	Horse-gram.	Ground-nut.	Gingelly.	Sugar-cane.	Cotton.
	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER GARCE.	PER GARCE.	PER MAUND.	PER PUTTI.
	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS. A. P.	RS. A. P.
(a)	0.99	1.11	0.94	0.89	0.96	63	296	1 4 0	22 8 0
(b)	0.88	0.95	0.86	0.79	0.78	54	260	1 0 0	18 6 0
(c)	0.96	1.00	0.89	0.81	0.99	56	271	1 2 0	19 3 0
(d)	0.84	0.75	0.76	0.65	0.80	41	202	1 0 0	16 13 0

2. Paddy, Ragi, Cumbu.
3. (1) Condition of standing crops—Fair.
- (2) Prospects—Fair.

Question
numbers.

Answers.

4. Tendency to fall—Not marked.
5. Tendency to fall—Not marked.
6.

		(a) Movable properties.		(b) Land sold.	
		Number of cases.	Amount of arrears.	Extent.	Assessment.
			RS. A. P.	ACS.	RS. A. P.
Fasli 1340	..	..	..	172-06	259 7 0
Fasli 1341	..	12	418 1 4	108-38	150 14 0
Fasli 1342	..	..	..	55-68	113 3 0

7. Increasing—

		Number instituted.	Traders.	Culti-vators.	Larger land-holders.	Others.	Remarks.
1930	..	72	20	14	5	33	Figures furnished by the District Judge, Vizagapatam.
1931	..	77	26	14	10	27	
1932	..	95	36	30	11	18	
1933 up to the end of October.		81	33	20	6	22	

8. Generally fallen—

		Fasli 1338.	Fasli 1339.	Fasli 1340.	Fasli 1341.	Fasli 1342.	Fasli 1343.	Remarks.
		RS.	RS.	RS.	RS.	RS.	RS.	
Sale value per acre	..	299	302	298	262	222	294	Statistics furnished by the Sub-Registrars.
Lease value per acre	..	30	17	16	15	49	12	

Note.—The high prices reported by the Sub-Registrar, Anakapalle, inflated the average sale value of land for fasli 1343. The averages of the figures furnished by him are given below :—

Fasli 1338.	Fasli 1339.	Fasli 1340.	Fasli 1341.	Fasli 1342.	Fasli 1343.
227	324	314	346	252	741

9. Increasing.—Indicated by the increase in the arrears of co-operative loans and the tightness of the money market evidenced by the decrease in the advances given by the Imperial Bank of India, Vizianagram. Particulars furnished by (i) Co-operative Societies, Vizagapatam, and (ii) Imperial Bank, Vizianagram. Increase in indebtedness has been retarded by the sale of gold while prices ruled high.

(i) Particulars furnished by the Deputy Registrar of Co-operative Societies, Vizagapatam.

	Fasli 1339.	Fasli 1340.	Fasli 1341.	Fasli 1342.	Fasli 1343.
Number of agricultural societies	414	415	406	408	403
Number of non-cultivating landlords	771	963	1,101	1,374	1,539
Number of cultivating landlords	13,582	15,332	15,366	15,460	14,098
Tenants	381	363	1,156	376	647
Field labourers	498	175	241	215	268
Total agriculturists	15,232	16,833	17,864	17,425	16,552
	RS.	RS.	RS.	RS.	RS.
Loans outstanding against members	11,16,596	14,78,262	15,94,580	14,51,116	13,59,922
Demand	8,64,980	11,12,586	13,90,271	16,35,555	14,10,596
Arrears	2,30,779	3,71,153	6,41,908	7,58,208	7,94,610
Percentage	26.72	36.46	47.71	54.46	56.33

(ii) Particulars furnished by the Agent, Imperial Bank of India, Vizianagram.

	Fasli 1339.	Fasli 1340.	Fasli 1341.	Fasli 1342.	Fasli 1343.
	RS.	RS.	RS.	RS.	RS.
Clean trade advances	42,20,000	15,70,000	6,000	26,000	..
Advances as against the security of gold for financing crops	27,58,000	16,26,000	7,26,000	3,27,000	1,50,000

EAST GODAVARI DISTRICT.

1.	Wet paddy.	Cholam.	Coconut.	Jaggery.
	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER 1,000.	PER CANDY OF 500 LB.
	RS.	RS.	RS.	RS.
(a)	2.3	3.1	31	26
(b)	2.0	2.1	38	19
(c)	2.0	3.2	38	29
(d)	1.6	1.6	19	22

2. White paddy for wet lands. Black paddy for dry.

Note.—The marked prices of black paddy have not been kept, but the commutation price was taken to be about 20 per cent less than that of white paddy.

3. Wet paddy—Generally fair, but damaged by floods of Godavari and Yeluru. Yield in delta taluks, 8 annas Transplantation under minor irrigation tanks was late for want of timely rains. Prospects, moderate. Cholam—Fair in Peddapur taluk, badly affected in Rajahmundry and lanka and padugai lands of Razole taluk. Cholam—Prospects, poor to moderate on the average. Coconuts—Condition, fair. Prospects, fair. Sugarcane—Condition, fair. Prospects, fair. Tobacco and chillies—Crops recently raised. Estimate cannot be made now.

Question
numbers.

Answers.

4. Tendency to fall—Not marked.

5. Generally steady in the case of pulses, clothes and other sundry articles. Gold and silver—Price slightly fluctuating. Pulses—Tendency to fall at the time of harvest—January and February.

6.

(a) Movables.

(b) Land.

Fasli 1340	.. ..	137 cases.	8 cases.
Fasli 1341	.. ..	117 „	36 „
Fasli 1342	.. ..	129 „	59 „

7. Insolvency increasing—

	Traders.	Cultivators.	Landholders.	Total.
1930	49	28	27	104
1931	75	46	41	162
1932	71	71	49	191
1933 up to date	36	47	29	112

8. Tendency to decrease—

		Sale values.		Lease values.	
		Delta.	Uplands.	Delta.	Uplands.
		RS.	RS.	RS.	RS.
1340	..	599	429	44	30
1341	..	709	317	36	24
1342	..	699	409	30	22
1343	..	638	252	28	20

9. Increasing—The increase in the percentage of balance to demand is chiefly due to the plight of the ryot who is unable to meet his obligations to the society owing to his adverse circumstances, such as want of sufficient repaying capacity owing to the fall in the prices of agricultural commodities. No separate information regarding the indebtedness of actual cultivators and larger landholders is available. Loans taken from the Land Mortgage Bank at Alamur are on the increase. There is a fall in the loans taken from Co-operative Society, Anaparti, but there is an increase in the percentage of repayable balances in the case of big landholders and small agriculturists. Loans advanced to agriculturists and landholders by the Konaseema Co-operative Bank and by the Land Mortgage Bank are on the increase.

Co-operative Societies, East Godavari.

Year from 1st July to 30th June.	Indebtedness of the members to Societies.	Loans issued by Societies to members.	Demand during the year.	Balance (arrear) at the end of the year.	Percentage of balance to demand.
(1)	(2)	(3)	(4)	(5)	(6)
	RS.	RS.	RS.	RS.	
1930-31	48,17,560	18,12,837	44,21,077	22,25,985	50.41
1931-32	41,09,920	11,25,108	41,61,703	23,57,823	57.21
1932-33	37,30,652	10,74,456	34,58,841	20,11,605	58.10
1933-34	Information not available.				

Year from 1st July to 30th June.	Non-cultivating landlords.	Cultivating landlords.	Tenants.	Field labourers.	Total.
(7)	(8)	(9)	(10)	(11)	
1930-31	4,878	18,025	3,010	10,517	41,430
1931-32	4,503	17,218	6,913	9,079	37,713
1932-33	3,492	16,432	7,117	12,395	39,436
1933-34	Information not available.				

Co-operative Union, Alamar.

Fasli.	Total indebted members.	Amount borrowed.	Loans for trade.	Indebtedness of agriculturists.	
		RS. A.	RS. A.	RS. A.	
1340 ..	5,373	8,44,744 12	80,921 0	7,63,823 12	Note.—The gradual decrease in the transactions from 1930 to 1932-33 is due not to any relief of agricultural indebtedness but due to stringent recovery of dues from members and the stoppage of further loaning transactions for want of proper repaying capacity of members owing to present economic depression.
1341 ..	4,348	5,74,474 9	87,863 0	4,86,611 9	
1342 ..	4,850	4,68,751 3	550 0	4,68,201 3	
1343 ..	Not available.	Not available.		2,48,595 0	

[5th February 1934]

Question
numbers.

Answers.

Co-operative Society, Anaparti.

Fasli.	Number of persons taking loans.	Amount of loan taken.	Amount repaid.	Balance.	Percentage.
(1)	(2)	(3)	(4)	(5)	(6)
Section I—Big landholders.					
		RS.	RS.	RS.	
1340	35	19,520	7,975	11,545	59
1341	38	22,905	10,547	12,358	54
1342	24	12,694	4,170	8,524	67
1343 (up to date)	11	6,975	1,400	5,575	80

Section II—Agriculturists.

1340	169	23,419	12,475	10,944	47
1341	126	11,389	5,082	6,307	55
1342	84	6,031	2,865	3,166	52
1343 (up to date)	42	4,645	85	4,560	98

WEST GODAVARI DISTRICT.

1.	Paddy.	Cholam.	Cumbu.	Ragi.	Horsegram.
	Per imperial maund.	Per imperial maund.	Per imperial maund.	Per imperial maund.	Per imperial maund.
	RS.	RS.	RS.	RS.	RS.
(a)	2.21	2.92	2.02	2.38	3.05
(b)	1.67	2.58	1.79	2.00	2.38
(c)	2.26	2.98	1.94	2.45	3.36
(d)	1.85	1.92	1.70	1.90	2.20

2. All.
3. Owing to the recurring floods during the recent months the yield of paddy and of dry crops is expected to be below normal.
4. Tendency to fall—Marked.
5. Tendency to fall—Marked.
- 6.

	(a) Movables.	(b) Land.
Fasli 1340	30	4
Fasli 1341	24	47
Fasli 1342	62	101

7. Gradually increasing.

	Traders.	Agriculturists.	Larger landholders.	Total.
Fasli 1340	64	111	6	181
Fasli 1341	111	226	9	346
Fasli 1342	159	194	19	372
Fasli 1343	98	113	6	217

8. Fallen considerably. Land Mortgage Bank, Penukonda—Statistics show a fall of 40 per cent since 1341. Gradual fall in lease value.

	Fasli 1341.	Fasli 1342.	Fasli 1343.
	RS.	RS.	RS.
Sale value per acre ..	1,151	841	686

9. Increasing as noticed from figures obtained from Co-operative Societies and from the Imperial Bank, Palacole. No information to distinguish between actual cultivators and larger landholders. Both are in the same plight but the larger landholders still possess better credit.

KISTNA DISTRICT.

1.	Paddy.	Cholam.	Cumbu.	Ragi.
	Per imperial maund.	Per imperial maund.	Per imperial maund.	Per imperial maund.
	RS.	RS.	RS.	RS.
(a)	2-2	3-3	2-7	2-2
(b)	1-9	2-8	2-5	2-5
(c)	2-2	3-2	2-8	2-6
(d)	1-6	2-1	1-7	2-0

2. Paddy (white) cholam and cumbu.
3. Generally fair—Fair, harvest, normal. Portions flood affected.
4. Tendency to fall—Marked.
5. Tendency to fall—Marked.

[5th February 1934]

Question
numbers.

Answers.

6.		Fasli 1340.	Fasli 1341.	Fasli 1342.	
		Value.	Value.	Value.	
		RS.	RS.	RS.	
	(a)	19,404	19,099	25,931	
	(b)	11,259	16,967	46,620	
		1930.	1931.	1932.	1933 (end of July).
7.	Traders	51	64	59	27
	Agriculturists ..	78	137	163	85
	Large landholders ..	11	23	12	12

8. Fallen—

(a) Sale value—Appreciable fall.

(b) Lease value—Fall.

9. Indebtedness increasing.

GUNTUR DISTRICT.

1.	Paddy.	Cholam.	Cumbu.	Ragi.	Grams.	Variga.	Maize.
						Per candy.	Per candy.
						RS.	RS.
(a)	..	..	..	..	..	80	80
(b)	..	..	..	..	..	71	71
(c)	..	..	..	..	..	86	64
(d)	..	..	..	..	..	64	53
	Chillies.	Groundnuts.	Castor.	Cotton.	Tobacco.	Turmeric.	
	PER CANDY.	PER CANDY.	PER CANDY.	PER CANDY.	PER CANDY.	PER CANDY.	
	RS.	RS.	RS.	RS.	RS.	RS.	
(a)	70	25	25	33	45	42	
(b)	60	20	23	30	40	41	
(c)	60	20	24	35	75	48	
(d)	85	15	22½	32	35	32	

2. Paddy, cholam.

3. Fairly good—

Good outturn is expected—10 annas for wet paddy.

8 annas for dry paddy.

8 annas for cholam.

4. General tendency to fall—Marked in this year.

5. Generally a tendency to fall—Not marked.

6.		Number of defaulters.		Amount of arrears.		Estimated value.		Amount realized.
Fasli 1340	..	83	30	2,511	1,087	2,418	1,686	1,714
Fasli 1341	..	(a) 28	(b) 54	(a) 1,123	(b) 1,286	(a) 15,705	(b) 3,657	(a) 733
Fasli 1342	..	40	56	3,405	2,290	1,369	6,319	(b) 1,219
		(a) Movables.					(b) Land.	5,374

7. Increasing—					Traders.	Culti- vators.	Large land- owners.	
1930	..	..	..	75	132	20	Figures of 1933 relate only to a portion of this year.	
1931	..	..	..	124	294	29		
1932	..	..	..	94	383	31		
1933	..	..	..	86	243	39		
				379	1,052	119		

8. Fallen—

Value of land—From Rs. 500 to Rs. 200 at Sattena-palle, Rs. 500 to Rs. 100 at Gurzala.

Lease value—From Rs. 42 in the year 1929 to Rs. 24 in 1933. The question of insolvency hardly applies to small landholders.

The high price of paddy in previous years were quite favourable for large landowners to contract debts and to purchase lands at fabulous competitive prices; hence the increase of insolvency among them.

9. None—Agriculturists already indebted heavily. Land not treated as proper security by creditors. The high price of gold has already tempted to sell away whatever jewels the ryots had. He has therefore no security to offer over borrowing and increase of luxuries when the high prices ruled are the cause of heavy indebtedness of larger landholders and middle-class people. The actual cultivator is left with a smaller margin of profit than before but has not reached the end of his resources.

KURNOOL DISTRICT.

	Paddy.	Cholam.	Korra.	Sajja (cumbu).	Arika (varagu).	Ragi.	Ground- nut.	Cotton.
	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.
	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.
(a)	2-55	2-47	1-94	3-96	1-94	2-53	3-86	5-04
(b)	2-65	2-38	1-94	3-81	1-83	2-53	2-89	4-94
(c)	2-65	2-42	1-96	4-30	1-94	3-01	2-70	4-83
(d)	2-61	2-38	1-83	3-64	1-79	2-70	1-93	4-68

2. Paddy for wet lands. Cholam for dry lands. Arika and Korra.

3. Generally fair—Outturn 8 to 12 annas.

4. Tendency to fall—Not marked except in the case of groundnut.

5. Tendency to fall—Not marked except in the case of groundnut.

6.		Number of defaulters.	Sales arrears.	Amount realized.	Number of defaulters.	Arrears.	Amount realized.
			RS. A. P.	RS. A. P.		RS. A. P.	RS. A. P.
	Fasli 1340	 9	251 14 0	236 2 0	42	538 14 6	552 0 0
	Fasli 1341	 13	217 0 0	192 14 6	11	175 0 0	356 15 0
	Fasli 1342	 15	675 0 0	682 13 0	2	63 0 0	64 11 0

			Traders.	Cultivators.	Larger land- holders.	Others.	Total.
7. Increasing—							
	1929	.. ..	21	44	10	18	93
	1930	.. ..	25	34	11	18	88
	1931	.. ..	21	51	12	27	111
	1932	.. ..	33	83	22	30	168
	1933	.. ..	44	84	15	4	147

8. Fallen.

Sale values—Decreased by 30 to 50 per cent of their prices in 1929.

Lease values—Decreased by 40 to 50 per cent of their prices in general.

9. Indebtedness of the agricultural population is increasing. The Imperial Bank of India (Nandyal branch) is unable to give any statistics. Co-operative bank lend money to ryots through co-operative societies. The Registrar of Co-operative Societies says that voluntary repayments of loans have been less. He also points out that on account of the large percentage of the balance to demand the members could not secure loans freely. Consequently disbursements of loan have considerably fallen. The loans outstanding against actual cultivators and larger landholders disclose that there has been no appreciable progress in the recoveries of loans previously disbursed.

By agricultural societies to banks.			By members of agricultural societies.		
Demand.	Balance.	Percentage.	Demand.	Balance.	Percentage.
RS.	RS.		RS.	RS.	
6,21,059	5,37,441	86.54	7,02,995	6,09,117	86.65

Ryots are going in for loans to private money-lenders even at higher rates of interest.

				Number of borrowers.		Amount borrowed.	
				Actual cultivators.	Larger landholders.	By actual cultivators.	By larger landholders.
						RS.	RS.
Fasli 1340	..	..	..	518	389	30,446	1,27,548
Fasli 1341	..	..	..	180	151	8,209	49,936
Fasli 1342	..	..	..	232	134	12,173	33,878
Fasli 1343	..	..	..	17	39	1,060	11,820

BELLARY DISTRICT.

1.	Cholam (yellow). Per imperial maund.	Cholam (white). Per imperial maund.	Korra. Per imperial maund.	Ragi. Per imperial maund.	Paddy. Per imperial maund.	Horse-gram. Per imperial maund.	Ground-nut. Per maund.	Cotton (mungari). Per 12 maunds.	Cotton (hingari). Per 12 maunds.
	RS.	RS.	RS.	RS.	RS.	RS.	RS. A. P.	RS. A. P.	RS.
1 (a)	1.74	2.19	1.65	1.53	2.78	1.89	0 15 8	30 0 0	30
1 (b)	1.81	2.45	1.69	1.53	2.38	1.96	0 12 8	30 0 0	24
1 (c)	1.77	2.40	1.75	1.47	2.72	1.92	0 11 10	22 12 0	26
1 (d)	1.66	2.16	1.58	1.67	2.05	1.61	0 8 5	30 0 0	24

2. Yellow cholam.

3. Poor to fair—Estimate, 3 to 11 annas.

4. Tendency to fall—Not marked.

5. Tendency to fall—Not marked.

Question
numbers.

Answers.

6.

				Fasli 1340.		Fasli 1341.		Fasli 1342.	
	Fasli 1340.	Fasli 1341.	Fasli 1342.	ACS.	RS.	ACS.	RS.	ACS.	RS.
	RS.	RS.	RS.						
(a) Movable—									
Estimated value	1,943	3,865	1,898						
Amount realized.	1,662	3,344	1,153						
(b) Land—									
Dry ..				214	712	427	1,126	889	2,536
Wet ..				69		80		121	

7.

	1928.	1929.	1930.	1931.	1932.
Traders ..	44	34	57	80	71
Agriculturists ..	26	34	31	74	84
Larger landholders ..	10	11	19	28	32
Others ..	15	8	12	24	35

8. No continuing decrease.

9. Not increasing. Deputy Registrar of Co-operative Societies says that the majority of members of the societies, largely composed of agriculturists have not paid their dues.

ANANTAPUR DISTRICT.

1. Paddy.	Rice.	Cholam	Cholam	Cumbu.	Ragi.	Korra.	Horse-	Ground-	Cotton.
Per	Per	(white).	(yellow).	Per	Per	Per	gram.	nut.	Per
imperial	imperial	Per	Per	imperial	imperial	imperial	Per	Per	400 lb.
maund.	maund.	imperial	imperial	maund.	maund.	maund.	imperial	500 lb.	
		maund.	maund.				maund.		
RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.
(a) 2-07	4-82	2-33	1-99	2-03	1-90	1-77	2-67	15 to 20	109
(b) 2-08	4-65	2-42	1-82	2-13	1-83	1-73	2-70	Do.	97
(c) 2-20	4-82	2-60	2-09	2-38	2-07	1-98	2-92	Do.	97
(d) 1-90	4-00	2-35	2-00	2-50	1-67	1-60	1-82	14 to 16	85 to 90

2. Paddy, ragi, horsegram, cholam (yellow).

3. Condition—Dry unirrigated crops affected in parts owing to want of rain. They have revived on account of late October rains. Outturn—6 to 8 annas generally.

4. Generally steady. Not marked.

5. Steady. Not marked.

6.

(a) Movables.				(b) Land.	
		Number of defaulters.	Amount realized.	Extent sold.	Amount realized.
			RS.	ACS.	RS.
Fasli 1340	.. .. .	32	562	29	Bought in by Government for Rs. 56.
Fasli 1341	.. .. .	49	718	84	72
Fasli 1342	.. .. .	54	907	627	1,288

7. Statistics show an increase in 1932 and decrease in 1933—

	Traders.	Agriculturists.	Larger landholders.	Others.	Total.
1931		28	69	12	133
1932		27	100	39	192
1933 (up to September)	..	16	55	17	35
					123

8. Fallen—

Average sale value.				Average lease value.
		Dry.	Wet.	
		RS.	RS.	
1931	.. .. .	35	509	No transactions have been registered in the Sub-Registrar's office. Hence not furnished.
1932	.. .. .	25	416	
1933	.. .. .	22	312	

9. More money has been advanced in fasli 1342 than in fasli 1341. There is a fall in the demand and in overdues and the proportion of the overdues to the demand is almost the same for faslis 1341 and 1342.

CUDDAPAH DISTRICT.

1.	Paddy.	Cholam.	Cumbu.	Ragi.	Tenai (korra).	Horse-gram.	Bariga.
	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	MEASURES PER RUPEE.
	RS.	RS.	RS.	RS.	RS.	RS.	
(a)	2.86	2.11	1.91	2.16	1.84	2.76	14
(b)	2.98	2.12	2.26	2.00	1.81	2.72	14
(c)	3.08	2.19	2.29	2.21	1.90	3.08	14
(d)	2.65	2.21	2.17	1.92	1.83	2.27	Not available.

Question numbers.

Answers.

	Gingelly.	Castor.	Groundnut.		Turmeric.		Indigo.	Cotton.		Onions.
	MEASURES PER RUPEE.	MEASURES PER RUPEE.	PER MAUND.		PER MAUND.		PER MAUND.	PER MAUND.		PER MAUND.
			RS. A. P.		RS. A. P.		RS.	RS. A. P.		RS. A. P.
(a)	7	8	1 2 3		2 0 10		26	1 8 10		0 4 0
(b)	8	13	0 13 7		1 8 4		28	1 2 3		0 5 9
(c)	8	8	0 13 2		1 12 0		30	1 0 11		0 5 3
(d)	8	9	0 11 4		1 4 0		32	1 5 4		0 3 9

2. Paddy, korra and cholam Cuddapah—Proddatur and Jammalamadugu taluks.

Paddy, korra and cholam Cuddapah—Pulivendla taluk.

Cholam, paddy and korra Rajampet—Badvel and Siddhavattam taluks.

Paddy and cumbu—Rayachoti taluk.

3. Paddy fair at present—Average yield 8 annas and will be still lower if the north-east monsoon fails.

Cumbu, castor, korra, arika and cholam—Poor in portions of Rayachoti and Badvel taluks. Yield 4 annas to 6 annas and generally fair in the rest of the district—yield 8 annas to 12 annas.

Ragi—Fair, yield 8 annas. Horsegram, turmeric, cotton and onions—Fair, yield 8 to 12 annas.

4. General tendency to fall. Not marked. In the case of cholam, indigo, cotton and onions—there is a tendency for rise. Rise being marked in the case of indigo and onions.

5. Generally a tendency towards fall. Marked in the case of groundnut and onions.

6. Nil.

		1928.	1929.	1930.	1931.	1932.	1933.	
(28-10-33)								
7. Information to distinguish between agriculturists and larger landholders not available.	Traders ..	30	25	21	45	29	21	A little over 55 per cent were agriculturists.
	Cultivators ..	60	43	68	120	113	59	
	Larger landholders.		Information not available.					
	Others ..	15	38	31	45	40	28	Traders 20 per cent.

8. No appreciable fall in the case of dry lands; but the drop is slight in the case of wet lands. The drop is about 14 per cent in the case of wet lands. No appreciable fall in the sale value of dry lands. Lease deeds are not registered. No information to arrive at a conclusion.

9. Indebtedness on the increase—

	Cultivators.		Larger landholders.	
	(a)	(b)	(a)	(b)
Fasli 1340 ..	115,240	99,758	28,760	24,940
Fasli 1341 ..	99,360	106,766	24,840	26,691
Fasli 1342 ..	47,040	195,741	11,760	48,936
Fasli 1343 ..	44,640	415,611	11,160	103,902

(a) Outside indebtedness.

(b) Indebtedness to co-operative societies.

Shows a steady decline, but outside indebtedness has shown a corresponding increase. The Co-operative Department is rigorously enforcing the provisions of the Revenue Recovery Act of overdue instalments and the borrower has to resort to outside help to meet his liability to the Co-operative Department.

NELLORE DISTRICT.

1.	Paddy.	Cholam.	Cumbu.	Ragi.	Varagu (arika).	Variga.	Horsegram.
	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.
	RS.	RS.	RS.	RS.	RS.	RS.	RS.
(a)	2.5	2.5	2.4	2.3	..	1.2	3.0
(b)	2.7	2.2	2.6	2.2	1.7	..	2.7
(c)	2.6	2.5	2.6	2.3	..	1.4	3.2
(d)	2.2	2.1	2.4	2.0	1.9	..	2.5

2. Wet paddy under wet crop in both the divisions.

Late cholam and varagu (arika) in the south of the district.

Early cholam and variga and cumbu in the north of the district.

3. Condition—Good. Prospects good for wet and dry crops except in parts of Gudur and Rapur taluks.

4. Prices on the whole steady except in Atmakur and Udayagiri taluks where there is a tendency to fall which is reported to be marked.

5. Steady generally. Tendency to rise in the Nellore taluk and a tendency to fall in the taluks of Atmakur and Udayagiri.

6.	Fasli.	Movables.	Land.
		RS.	RS.
	1340	10,527	170
	1341	4,228	3,222
	1342	3,618	420

Question
numbers.

Answers.

7. There has been an increase up to 1932 but there is a decrease in 1933—

Year.	Traders.	Culti- vators.	Land- holders.	Others.
1930	63	56	38	33
1931	77	61	73	27
1932	82	112	83	39
1933	54	85	55	16

8. Fallen.

9. The indebtedness of the agricultural population has increased. The ryots who borrowed large sums of money when the prices ruled high find it difficult to repay even the interest on the borrowed amount. The existing debts have increased while the repaying capacity has decreased. New debts are being contracted to repay the old debts with the result that the accumulated interest is being repaid by a fresh loan.

CHINGLEPUT DISTRICT.

1.

Paddy.	Ragi.	Rice.
PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.
RS.	RS.	RS.
(a) ..	2.50	3.67
(b) ..	2.72	3.25
(c) 2.23	3.01	3.88
(d) 2.31	2.61	3.64

2. Paddy. Ragi.

3. Early sown crops poor for want of rain. Six to 8 annas crop expected with a fair amount of rainfall in the future. Prospects poor. Better rains may however alter conditions.

4. Generally steady.

5. Generally steady.

6.

	Movables.			Immovables.		
	Fasli 1340.	Fasli 1341.	Fasli 1342.	Fasli 1340.	Fasli 1341.	Fasli 1342.
	RS.	RS.	RS.	RS.	RS.	RS.
(a) Value of property sold	766	1,059	2,787	13,143	17,549	16,272
(b) Amount realized by sale.	470	735	1,353	3,349	3,772	6,761

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7. Not answered for want of details.

8.

	Sale value, 1929. RS.	Sale value, 1930. RS.	
Wet lands generally fallen.	619 an acre	408 an acre.	Difficult of explanation without knowing what kind of land the transactions covered.
Dry lands tendency to rise.	180 „	182 „	

Lease values—No sufficient data to arrive at a conclusion.

9. Increasing—Not able to get accurate information in the short time regarding indebtedness. Ryots have reached the limit of their borrowing capacity. Loans from private money-lenders except at very high rate of interest are very difficult to get. The policy of restriction is rigorously enforced.

SOUTH ARCOT DISTRICT.

1.	Paddy. Per imperial maund.	Ragi. Per imperial maund.	Cumbu. Per imperial maund.	Varagu.	Groundnut.
	RS.	RS.	RS.		
(a)	2-26	2-17	2-41	19 measures per rupee.	Price not given.
(b)	1-82	2-09	2-22	21 measures per rupee.	Do.
(c)	2-23	2-25	2-48	19 measures per rupee.	Do.
(d)	1-84	1-98	2-17	24-5 measures per rupee.	Do.

2. Paddy, cumbu, varagu.

3. Broad-cast paddy—fair; outturn normal if the season is favourable. Transplantation of paddy in areas commanded by irrigation sources progressing and under rain-fed sources, not commenced.

Ragi below normal, groundnut crop affected by pests—Below normal.

Cumbu, rather not fair, area cultivated is much less.

4. Generally a tendency to fall, marked only in the case of groundnut.

5. General tendency to fall, marked only in the case of groundnut.

6.

Fasli.		(a) Movables. RS.	(b) Land. RS.
1340	.. .. .	4,482	3,991
1341	.. .. .	4,617	12,319
1342	.. .. .	6,708	14,943

Question
numbers.

Answers.

7. Gradually increasing—

	Traders.	Agriculturists.	Landholders.	Total.
1930		Details not available.		35
1931	18	36	6	60
1932	12	50	9	71
1933 (up to October) ..	8	34	8	50

8. Perceptible fall in the case of wet lands and slight tendency to fall in the case of dry lands.

9. Increasing. Banks have stopped lending money. The ryots are unable to raise loans in villages owing to the fall in the value of lands and to the tightness of the money market.

CHITTOOR DISTRICT.

1.	Paddy.	Ragi.	Cumbu (sajja).	Jonna.	Sugarcane per candy.	Groundnut per candy.	Horse- gram.	Gingelly, seers per rupee.
	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.			PER IMPERIAL MAUND.	
	RS.	RS.	RS.	RS.	RS. A. P.	RS. A. P.	RS.	RS.
(a)	2-70	2-86	2-86	4-88	31 5 0	25 5 0	4-44	5-00
(b)	2-70	2-70	2-96	4-88	27 14 0	24 1 0	4-44	5-25
(c)	3-08	3-20	3-08	4-88	26 14 0	25 1 0	5-00	5-25
(d)	2-53	2-58	2-76	4-88	20 1 0	17 10 0	4-00	6-50

2. Paddy. Ragi. Cumbu (sajja).

3. Condition of the agricultural crops—Generally fair.
Prospects generally fair.

4. Generally steady—Not marked.

5. Stationary except in three taluks where there is a tendency to fall. In the case of chillies in one taluk the rise is 25 per cent.

6.	Fashi.	Movables.	Lands.
		RS.	RS.
	1340	150	1,659
	1341	197	1,626
	1342	338	3,126

	1930.	1931.	1932.	1933.	
7. Increasing—					
Traders	45	53	61	60	Increase marked in the case of larger landholders in the year 1933.
Cultivators	20	23	41	38	
Larger landholders ..	10	11	11	16	
		Earlier days.		Recent times.	
		Wet.		Dry.	
		RS.		RS.	
8. Fallen generally in recent times.	Sale values	200—800	35—200	180—450	26—150
	Lease values	20—40	6—12	11—22	4
9. Increasing.—	The percentage of arrears due to the Societies is increasing. It is reported that the agriculturists are now refraining from applying to the Societies for loans as they have lost all credit. They are borrowing from private money lenders.				

NORTH ARCOT DISTRICT.

1.	Paddy.	Ragi.	Cumbu.
	Per	Per	Per
	imperial	imperial	imperial
	maund.	maund.	maund.
	RS.	RS.	RS.
(a)	1.81	2.09	2.05
(b)	1.71	2.19	2.22
(c)	2.16	2.40	2.13
(d)	1.97	2.16	2.05

2. Paddy, cumbu.

3. Paddy raised with the aid of well-water may show a normal outturn—Entire ayacut not brought under cultivation. Completed harvest of ragi and cumbu—Poor outturn.

4. Generally steady.

5. Steady.

	Fasli 1340.	Fasli 1341.	Fasli 1342.	† Number of cases.	* Number distrainded.
6. (a) Movables *..	432/42	433/10	2081/15	Number actually sold.	Number sold.
(b) Land † ..	629/320	820/184	857/154		
7. Steady increase.					

	1930.	1931.	1932.	1933.	Remarks.
Traders	5	3	6	5	Reached a peak in 1932.
Agriculturists	13	16	18	6	
Landholders	..	..	..	..	

8. Land value fallen—No cases of lease.

9. Indebtedness increasing. No distinction between actual cultivators and large landholders.

The above is a summary for Tiruvannamalai taluk including Chengam. Rest not furnished by Collector.

Question
numbers.

Answers.

SALEM DISTRICT.

1.	Paddy.	Cholam.	Cumbu.	Ragi.	Varagu.	Horsegram.
	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.
	RS.	RS.	RS.	RS.	RS.	RS.
(a)	2.70	2.14	2.44	2.30	1.09	2.45
(b)	2.37	2.13	2.51	2.08	0.96	1.94
(c)	2.78	2.23	2.53	2.23	1.09	2.19
(d)	2.09	2.08	2.34	1.98	0.96	1.92

2. Paddy. Cholam. Cumbu. Ragi. Horsegram.

3. Condition—Generally good. Outturn 8 to 12 annas.

4. Tendency to fall. Not marked.

5. Tendency to fall. Not marked.

6.

	Fasli 1340.	Fasli 1341.	Fasli 1342.
(a) Movables	38	73	104
(b) Lands	59	97	135

7. Increasing (among larger landholders especially).

8. (a) Fallen perceptibly.

(b) Fallen perceptibly.

9. Indebtedness increasing—Statistics do not throw any light, except there has been a slight fall in the amount advanced.

COIMBATORE DISTRICT.

1.	Paddy.	Ragi.	Cholam.	Cumbu.	Horse- gram.	Cotton.	Groundnut.
	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.		
	RS.	RS.	RS.	RS.	RS.		RS. A. P.
(a)	2.96	2.05	2.00	2.21	2.72	Cambodia. 29 for 260 lb.	4 1 0 for 80 lb.
						Country .. 15	Do.
(b)	2.90	2.22	2.65	2.51	2.19	Cambodia. 25	Do.
						Country .. 12½	Do.
						to 16½	
(c)	3.15	2.22	2.58	2.44	2.53	Cambodia. 28½	Do.
						Country .. 14½	Do.
						to 16½	
							3 13 0 Do.

[5th February 1934]

(d) 2-40 1-99 2-26 2-23 2-07 Cambodia. 24 for 260 lb. 2 7 0 for 80 lb.
Country .. 14 Do.
to 16

2. Wet lands—average of first and second-crop paddy.
Dry lands—cumbu—cholan and ragi.
3. Generally good. Prospects fair.
4. More or less stationary—Tendency to fall but not marked.
5. Generally a tendency to fall but not marked.

6.	Movables.			Land.		
	Fasli 1340.	Fasli 1341.	Fasli 1342.	Fasli 1340.	Fasli 1341.	Fasli 1342.
	RS. A. P.	RS. A. P.	RS. A. P.	RS.	RS.	RS.
	645 7 0	93 2 0	28 12 0	11,243	5,031	11,819

				1930.	1931.	1932.
7. Increasing	..	..	Traders	110	141	130
			Agriculturists	110	232	271
			Landholders	69	63	87
			Others	76	141	114

8. Fallen to a considerable extent—

				Pre-depression days.	Recent times.
				RS.	RS.
Sale value	..	..	Dry	150	75 to 90
			Garden	1,000	500 to 600
			Wet	2,000	1,000 to 1,200
Lease value	..	..	Dry	10	5
			Garden	75	40
			Wet	100	45

Question numbers.

Answers.

9. Indebtedness increasing—Curtailement of expenditure on luxuries, expensive clothes and jewelleries and curtailement of marriage expenses and dowries indicate that the indebtedness of agricultural population is increasing. This applies to actual cultivators and large landholders. Figures not readily available.

TRICHINOPOLY DISTRICT.

1.

	Paddy I and II. Per imperial maund.	Cholam. Per imperial maund.	Cumbu. Per imperial maund.	Ragi. Per imperial maund.	Varagu. Per imperial maund.
	RS.	RS.	RS.	RS.	RS.
(a)	2-61	2-84	2-58	2-25	Not given.
(b)	2-18	2-13	2-44	2-25	Do.
(c)	2-47	2-55	2-44	2-25	Do.
(d)	1-79	2-25	2-53	1-65	Do.

2. Paddy, cholam, ragi and cumbu.

3. Condition—fair. Prospects—fair. Outturn—10 to 12 annas.

4. Paddy—gradual fall. Other dry crops—stationary. Fall steady but not marked.

5. Price of commodities other than agricultural product—stationary.

6.

(a) Movables. (b) Land.

Fasli.			
1340	..	60	28
1341	..	34	66
1342	..	56	163

7. Increasing ; shows a slight decrease in 1933.

	Traders.	Cultivators.	Landholders.	Total.
1929	 86	61	8	155
1930	 115	46	12	173
1931	 103	63	21	187
1932	 131	68	23	222
1933	 90	46	12	148

8. Fallen.

		Sale values.		Lease
		Wet.	Dry.	amount.
		RS.	RS.	RS.
1929	.. ..	1,194	286	100
1930	.. ..	1,193	238	97
1931	.. ..	1,090	198	102
1932	.. ..	976	226	71
1933	.. ..	883	225	53

9. Probably on the increase.

TANJORE DISTRICT.

1.	Paddy I and II. Per imperial maund.	Ragi. Per imperial maund.	Varagu. Per imperial maund.	Cholam. Per kalam.	Ground- nut. Per kalam.	Tobacco. Per candy.	Coconut. Per 1,000.	Cumbu. Per imperial maund.	Plantains. Per bunch.
	RS.	RS.	RS.	RS. A. P.	RS. A. P.	RS.	RS. A. P.	RS.	AS.
(a)	2-50	2-66	1-30	3 7 0	1 7 6	120	..	3-65	..
(b)	1-70	2-02	1-06	3 0 0	0 14 6	41	..	2-66	..
(c)	2-25	1-49	1-30	3 0 0	0 15 0	100	22 8 0	3-65	12
(d)	1-61	1-62	1-10	2 6 5	0 12 0	62	12 4 0	2-66	10

2. Paddy, cumbu, ragi and varagu.

3. Condition of crops—Fair to good. Outturn—6 to 12 annas.

4. Slight tendency to rise, but not marked.

In Pattukkottai and Arantangi taluks—Tendency to fall.

5. Fairly steady—Slight tendency to rise but not marked. In Pattukkottai and Arantangi taluks there is a slight, though not marked, tendency for prices to fall.

6.

		(a) Movables.	(b) Land.	Extent bought in by Government.	
		RS.	ACS.	RS.	ACS.
Fasli.					
1340	.. ..	7,901	790-86	12,456	429-58
1341	.. ..	10,443	1,003-39	15,976	349-13
1342	.. ..	25,638	1,136-93	28,413*	414-71

* Excludes Tiruturaipundi taluk.

7. Increasing.

			Number of petitions filed.	Traders.	Cultivators.	Landholders.
1928	..	..	52	} Details not furnished. Figures relate only to Tanjore. District Judge's jurisdiction.		
1929	..	..	95			
1930	..	..	211	* 402	100	174
1931	..	..	313			
1932	..	..	351			
1933	..	..	147			
				72	21	48

* Relate to Tanjore and Negapatam districts.

				Negapatam only.			
				1930.	1931.	1932.	1933.
Traders	..	..	..	43	64	84	72
Cultivators	..	..	..	20	21	31	21
Landholders	..	..	..	18	30	47	48

8. Fallen.

Sale value	..	Wet land from Rs. 681 in fasli 1340 to Rs. 511 in fasli 1343.
		Dry land from Rs. 445 do. 367 do.
Lease value	..	Wet land fallen from Rs. 59 do. 34 do.
		Dry land * increase from Rs. 52 do. 84 do.

* Increase due to heavy rise in the figures of Kumbakonam division which include padugai lands.

9. Increasing.

It is stated that the agricultural classes find it increasingly difficult to raise loans owing to the contraction of credit due to the fall in the prices of agricultural produce and in the price of land. There is increase in loans on pledge of jewels and a decrease in loans on pro-note and personal securities. Ryots are prepared to sell their lands in discharge of their debts. Larger landholder has been hit harder than the actual cultivator. There has been an increase of indebtedness of actual cultivators and big landholders in a few societies and a decrease in others but indebtedness by way of further contraction of debt cannot be said to be on the increase. The credit worthiness of the members is low.

MADURA DISTRICT.

1.	Paddy. Per imperial maund.	Ragi. Per imperial maund.	Cumbu. Per imperial maund.	Cholam. Per imperial maund.
	RS.	RS.	RS.	RS.
(a)	2.83	2.40	2.95	2.50
(b)	2.58	2.35	2.90	2.20
(c)	2.75	2.40	3.00	2.40
(d)	2.15	1.90	2.40	1.90

2. Paddy.

3. Condition—Good for the present. Prospect—Better than fair but a good deal depends on the course of the season hereafter.

4. Distinct tendency to fall—Gradual but very marked in the case of paddy.

5. Tendency in the fall of prices appears to be gradual—Paddy and rice—Slight rise but fall again.

6. The extent of land sold for arrears of revenue is increasing. The extent of land bought in by the Government is also on the increase.

7. Insolvency figures are of no economic significance. Stray men want to dodge creditors and go to insolvency courts.

8. Fallen—

Sale value by about 38 per cent.

Lease value by about 41 per cent.

9. Increasing—The Banks pursue a restrictive policy. Rural co-operative societies have practically ceased to advance loans as ryots are unable to pay the instalments regularly.

RAMNAD DISTRICT.

1.	Paddy.	Ragi.	Cholam.	Cumbu.	Varagu.	Horsegram.	Ground- nut.	Cotton.
	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	MEASURES PER RUPEE.	RS. PER CANDY.
	RS.	RS.	RS.	RS.	RS.	RS.		
(a)	2.60	2.47	1.49	2.74	1.85	3.23	15.24	114
(b)	1.78	2.00	1.17	2.15	1.25	2.56	19.23	113
(c)	2.47	2.70	1.57	2.70	1.83	3.05	21.18	136
(d)	1.67	1.86	1.23	2.35	2.02	2.53	21.24	123

2. Paddy—Sattur and Srivilliputtur taluks. Paddy, cholam and cumbu—Paramakudi taluk.

3. Condition—Good; outturn—slightly above normal.

4. Generally steady—In the case of paddy the tendency is for rising when the first-crop paddy is off the market.

5. Steady on the whole—Fluctuations here and there but the tendency is not marked.

Question numbers. 6. 7. Increasing—Figures not furnished by District Judge; but taken from Tahsildars' reports.

6.

	Fasli.	Movables.		Land.	
		Number of	Value.	Number of	Value.
		cases.	RS.	cases.	RS.
1340		10	252	171	881
1341		21	705	265	2,869
1342		22	536	307	4,256

7. Increasing—Figures not furnished by District Judge; but taken from Tahsildars' reports.

	1340.	1341.	1342.	1343.
Traders	7	4	6	56
Agriculturists	5	8	3	1
Large landholders	2	2	1	..

8. Generally fallen—

Sale value	.. .. .	37½ to 45 per cent.
Lease value	.. .. .	30 and 50 per cent.

9. Increasing—Statistics not furnished by Deputy Registrar of Co-operative Societies. Owing to the fall in the value of lands to an extent of 50 per cent coupled with the fall in the prices of agricultural produce, ryots have not been able to reduce their indebtedness and adverse economic conditions drive them to further borrowings. The District Registrar is also of the same opinion.

TINNEVELLY DISTRICT.

1.	Paddy.	Ragi.	Cholam.	Cumbu.
	PER	PER	PER	PER
	IMPERIAL	IMPERIAL	IMPERIAL	IMPERIAL
	MAUND.	MAUND.	MAUND.	MAUND.
	RS.	RS.	RS.	RS.
(a)	2.56	2.27	2.34	2.86
(b)	2.35	2.01	1.99	2.45
(c)	2.42	2.15	1.94	2.82
(d)	1.97	1.77	1.64	2.28

2. Paddy.

3. Good—Prospects very fair.

4. Yes—Tendency to fall—marked.

5. Commercial crops seem to be stationary.

6.

	Movables.	Land.	
		Extent.	Value.
Fasli.	RS.	ACS.	RS.
1341	91	3.67 (Dry).	79
		10 (Wet).	133
1342	560	315.12 (Dry).	54
		59.96 (Wet).	566

7. Insolvency decreasing—

Year.	Traders.	Cultivators.	Landholders.	
1930	90	136	35	Economic situation has
1931	109	179	56	affected agriculturists in
1932	68	151	32	general than traders and
				the actual cultivators in
				particular.

Fasli 1340. Fasli 1341. Fasli 1342. Fasli 1343.

8. Fallen—

	RS.	RS.	RS.	RS.
Sale value per acre ..	633	608	535	589
Lease value	31	26	22	21

9. Decreasing—Statistics show that the total indebtedness (urban and rural combined) in fasli 1341 was Rs. 23,48,981 against Rs. 18,68,468 in fasli 1342.

MALABAR DISTRICT.

1.	Paddy.	Coconut.	Pepper.
	PER IMPERIAL MAUND.	PER 1,000.	PER IMPERIAL MAUND.
	RS.	RS. A. P.	RS.
(a)	2.28	30 6 0	29.57
(b)	2.01	32 15 0	20.57
(c)	1.92	35 10 0	24.43
(d)	1.61	18 10 0	21.43

2. Paddy and coconut.

3. Fair. Normal outturn expected except in a few parts.

4. A tendency to fall—Marked since July 1933.

5. Tendency to fall—Marked in most cases.

Question
numbers.

Answers.

6.

		(a) Movables.		(b) Land.	
		NO.	RS.	NO.	RS.
Fasli	1340	90	3,518	187	20,561
"	1341	108	4,667	138	8,413
"	1342	161	4,276	150	17,342

7. Increasing.

		Traders.	Agriculturists.	Landholders.	Total.
1930	.. ..	104	52	14	170
1931	.. ..	118	51	9	178
1932	.. ..	102	53	19	174
1933	.. ..	103	47	10	160

8. Generally fallen—Details for the whole district not available.

9. Increasing—Indebtedness is undoubtedly on the increase up to few months ago. Lenders refuse to lend except on gold and jewels.

SOUTH KANARA DISTRICT.

1.

	Rice. PER IMPERIAL MAUND.	Coconut. PER 100.	Areca nuts. PER CANDY.	Pepper. PER MAUND.	Sugarcane. PER MAUND.
	RS.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
(a)	4.7	4 10 0	115 0 0	16 0 0	2 0 0
(b)	4.0	4 9 0	120 0 0	10 0 0	1 12 0
(c)	4.0	4 9 0	125 0 0	7 0 0	1 12 0
(d)	4.4	3 4 0	120 0 0	6 0 0	1 8 0

2. Rice.

Coconut.

3. Fair. Normal yield

4. A tendency to fall—Marked on account of importation of rice from outside.

[5th February 1934]

5. Tendency to fall but not marked.

		Movables.	Land.
	Faslis.	NUMBER OF DEFAULTERS.	NUMBER OF DEFAULTERS.
6.	1340	19	45
	1341	54	89
	1342	575	172

7. . .

8. Sale values—Fallen considerably.

Lease values—Actually depreciated.

9. Increasing—Loans taken for household purposes and for paying taxes increasing. Agriculturist is always indebted but indebtedness does not always indicate a bad state of affairs when loans are taken increasingly for household expenses and paying taxes; it is an indication that the ryot is not able to meet both ends and the economic condition is getting worse.

THE NILGIRIS.

1.	Paddy.	Ragi.	Tea and coffee.
	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	
	RS.	RS.	
(a)	1.82	2.45	Not given.
(b)	1.44	2.84	Do.
(c)	1.82	2.84	Do.
(d)	1.77	2.16	Do.

2. None.

3. Broadcast paddy suffered to some extent owing to excessive rains.

Transplanted paddy fairly good.

Ragi—Not come up to expectations.

4. Tendency to fall a little during the past 12 months—Not marked.

5. Tendency to fall—Not marked.

Question
numbers.

Answers.

6.

(a) Movables. (b) Land.

			RS.	ACS.
Fasli	1340	.. ..	99	67.24
"	1341	.. ..	15	8.00
"	1342	.. ..	193	143.00

7. Increasing.

			Traders.	Agriculturists.	Landholders.	Planters.
1930	..	..	3	..	..	1
1931	..	..	1	1	..	..
1932	..	..	4	2	..	..

Note.—Figures are of little value.

8. Fallen.

Sale value—Average in 1933, wet—Rs. 19 an acre against Rs. 22 to 35 in earlier years.

Dry—Extent not sufficient for comparison.

Lease value—

Dry—Insufficient figures.

Wet—Fallen to Rs. 4 from Rs. 4 to Rs. 6½ during 1928—32.

9. Increasing—Failure of timely rains and consequent poor harvests coupled with the general low level of prices.

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APPENDIX V.

[Vide answer to question No. 642 asked by S. M. K. Beyabani Sahib Bahadur at the meeting of the Legislative Council held on the 5th February 1934, page 462 supra.]

To
 HIS EXCELLENCY LIEUT.-COL. THE RT. HON'BLE
 SIR GEORGE STANLEY, P.C., G.C.I.E., C.M.G.,
Governor of Madras.

MAY IT PLEASE YOUR EXCELLENCY,

[Communal disturbances at Nandyal.]

MOST HONOURED SIR,

We, the poor and helpless Muslims of Nandyal (Kurnool district), beg to submit the following few lines for Your Excellency's kind and sympathetic consideration.

We had submitted last year our humble petition of the dishonourable, illegal and ferocious atrocities committed on the Dasara festival day, 1932, in supporting the Hindus by the then district authorities on the poor Muslims of this place to Your Excellency, to the hon. Home Member, to the District Magistrate, Kurnool, and other executive administration authorities. Conjecturing the same atrocities this year also on 28th September 1933, the last day of the Dasara festival, we informed all the executive authorities to consider the difficulties which the poor Muslims of this place will be put to, in taking the Hindu procession by the mosque in dispute with the Government support.

Though we said that we are going to the Sessions Court for appeal, our District Magistrate in co-operation with the District Superintendent of Police, Assistant Superintendent of Police and the Sub-Magistrate without paying any attention to our request, honour and dignity, treated us very cruelly and inhumanly on the above date by serving warrants on some respectable gentlemen, putting few in jails like criminals, dishonouring the purdah of the Muhammadan females and prohibiting them from going for their calls of nature by placing police on the roofs of the Muhammadan houses, and by stopping Muslims from going out for the necessary purchases and "Zoher" (afternoon) and "Asar" (evening) prayers.

Three or four days prior to the festival day, when a few Muhammadan gentlemen went to the District Superintendent of Police to inform him about the forthcoming danger, the Assistant Superintendent of Police rebuked them by asking them to get out of Nandyal that day if they are so particular about their honour.

We beg to pray Your Excellency that our grievances be redressed by taking the necessary action and by saving us from such dishonourable treatment henceforward.

For which act of kindness and generosity we shall feel ever grateful.

NANDYAL,
 Dated October 1933.

We beg to remain,
 Most Honoured Sir,
 We, the Muslims of Nandyal,
 M. Gousmiah and 119 others.

[5th February 1934]

APPENDIX VI.

[Vide item IV at page 469 supra.]

BILL No. 16 OF 1933.

A Bill to provide for the preservation in efficient condition of tanks belonging to landholders which are used as part of the Periyar System of Irrigation in the Presidency of Madras.

To

THE HONOURABLE THE LEGISLATIVE COUNCIL
OF THE GOVERNOR OF MADRAS.

WE, the Members of the Select Committee appointed to consider the Periyar Irrigation Tanks Preservation Bill (Bill No. 16 of 1933), have the honour to make the following report.

2. The Bill was published in the *Fort St. George Gazette* in English on the 17th October 1933.

3. We met on the 11th November and 19th of December 1933 for the consideration of the provisions of the Bill and on the 5th and 6th January 1934 for passing our report.

4. The object of the Bill is to empower the Government to carry out the repairs necessary to the non-Government tanks used as a part of the Periyar System of irrigation, after affording to the landholder or other persons concerned an opportunity to establish that the repairs proposed are not needed or that less costly measures would suffice. We consider that the provisions of the Bill are conceived on right lines and have not made any material changes in any of the clauses.

5. Clauses 5 to 8 of the Bill provide for the passing of a preliminary order by the Collector specifying the measures which in his opinion are necessary for the repair and restoration to efficiency of any tank which appears to him to be in a state of disrepair, for the preparation of plans and estimates of the cost of such repair, for the service of the order on each landholder affected by the order, for the raising of objections thereto, for the enquiry by the Collector, and for the passing of final orders after such enquiry. We have made suitable amendments which have the effect of ensuring that notice is given to all the persons concerned of the preliminary order of the Collector. With this object, we have provided that along with a vernacular translation of the order which is to be affixed in the village or villages in which

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the tank is situated and in such other villages, if any, as the Collector may think fit, a description in the vernacular of the measures of repair proposed and the estimated cost of carrying them out should also be affixed. We have also made it incumbent upon the Collector to cause intimation of such affixture to be given by beat of drum in each of the villages in which such affixture has been made. We have further provided that in the notice issued to each landholder requiring him to appear before the Collector to show cause why the preliminary order should not be confirmed, a date should be fixed for the appearance of such landholder, which shall be not less than sixty days from the date of the notice.

6. To provide for all possible cases by which a landholder can make out an obligation on the part of another person to carry out the whole or any part of the repairs to a tank situated in his estate, we have for the words "by local custom or express agreement" appearing in clause 6 and elsewhere, substituted the words "by law, local custom or contract."

7. Clauses 5 to 8 have been redrafted so as to make the original intention clearer and so as to incorporate the amendments made by us.

8. We have also made various other drafting changes in the Bill which it is unnecessary to refer to in detail here.

9. As the changes made by us are not of great importance, we do not think it necessary that the Bill should be republished.

10. A copy of the Bill as amended by us is annexed.

K. R. VENKATRAMA AYYAR (*Chairman*).

A. Y. G. CAMPBELL.

N. GOPALSWAMI.

A. KRISHNASWAMY.

J. A. THORNE.

* P. C. MUTHU CHETTI.

G. R. PREMAYYA.

P. V. KRISHNAYYA CHOWDHARY.

T. C. SRINIVASA AYYANGAR.

A. S. ALAGANAN CHETTI.

T. V. K. KAMA RAJA PANDIA NAYAKAR.

(Zamindar of Bodinayakkanur).

R. FOULKES.

[5th February 1934]

MINUTE OF DISSENT.

I am not satisfied that the Bill is necessary or essential at this stage. The Government has not given any data or information received after the investigation of the matter, which is the object of the Bill. The sudden anxiety for this legislation is not warranted by the experience of 38 years during which period the Periyar project was working and supplying water to the proprietary lands. The provision of the Bill is likely to be a menace to the rights of the proprietary inamdars and its working is sure to be most detrimental to the interests of the proprietors. This Bill will be most injurious to the proprietors inasmuch as they are already suffering from severe provisions contained in the Madras Estates Land Act and the Railway Affected Tanks Protection Act. This legislation will add most injuriously to already overburdened poor proprietors with a further liability.

2. The Select Committee had not sufficient time or data to consider the Bill in all its aspects.

3. The only way, I think, by which the tank might be preserved without working any hardship on the proprietor is to fix the hydraulic standards of the tank as it existed according to the pre-Periyar accounts and to insist on the maintenance of the hydraulic standards so fixed, and the effective way to insist on the maintenance of the tank to that standard would be to insert the appropriate clause to section 135 of the Madras Estates Land Act or chapter VIII of the Madras Estates Land Act as amended recently.

4. The Bill will thus appear to be quite unnecessary and as a matter of fact it is harmful so far as the proprietor is concerned because it enables the Government to collect the contributions from the proprietor for works from which he does not get any return. It is carried out solely for the benefit of the Government. This is rather an extraordinary measure and any legislation to saddle the proprietor with further liability is not justified and is quite inopportune in the present state of affairs.

5. In clause 4 the Collector has been given jurisdiction to try whether an area is comprised in a tank or not. Practical difficulty may arise if the Collector were to summarily decide the question, because the rights of third parties are likely to be affected by an adverse decision

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of the Collector whose decision is, under the Bill, final. The clause has to be modified so that the Collector may proceed to summarily adjudicate upon the question, provided that, right is given to any person aggrieved by the order to contest the decision in a court by a suit filed within six months from the date of the Collector's order. With regard to clause 5 the Collector has been given power to prepare estimates and plans without any reference to the landholder concerned. Such a provision is likely to be abused by the subordinates through whom only the Collector will have to act. It will conduce to allay the fears of the proprietor if it were so framed as to give him an opportunity to inspect and discuss the nature of the repairs to be effected with the Collector or with the engineering staff who is to investigate the matter before making their estimates and plans. Thus to a great extent the question that may arise afterwards might very well be decided by these proceedings to the satisfaction of both the parties if the landholder is allowed to have his say then and there. If the landholder and the Collector do not agree even after such a joint investigation of the affair then the only course which will be just is to have an adjudication by the court. The matters in controversy before the court will cover not only the question of the measures to be adopted, but the court will also have the power to go into the question whether any alternative relief entailing lesser cost would not be sufficient and also the court will be in a position to give a finding on the question which is in my opinion very important, namely, whether the Collector himself is or is not responsible for the condition of the tank by his letting in Periyar water to a greater extent than the tank could bear, in which case I cannot expect the Collector to ask for any proportion of costs from the landholder. Such a reference to a court by means of suit or otherwise might entail delay but that delay can be avoided by having the scope of the suit and the appeal therefrom restricted, that is by making the order of the court final subject only to revision by High Court. I also think that the time given for the landholders to appear, that is 60 days, is too meagre and that at least six months will have to be given. The Collector with all his staff might have taken months and years to prepare his plan but the landholder has to collect the data and make his own investigations handicapped for want of sufficient staff and other

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things necessary for the investigation, and therefore six months will not be too long a period for the landholder to investigate the nature of repairs that are necessary and find out whether the Collector's estimates could be complied with or not. With regard to clause 6, there must be a provision added so that the landholder might put forward any other plea *ejusdem generis* sub-clauses (a) to (d). Clause 7 gives finality to the Collector's order which is objected to. The Collector can never be the final authority to adjudicate in this matter. He must be deemed to be a party. Provisions for a suit in the civil court will be absolutely necessary to safeguard the landholders from the decision of a Collector when the landholder feels bona fide that the decision is erroneous. I cannot think of a case in which the Collector forming his opinion that repairs are necessary will revise it at any future time; but it may very well be imagined that the Collector, will stick to his opinion in the teeth of even very good reasons that might be given by the landholder and the result will be that the Collector might estimate the amount by many times the amount that will be necessary to have the repairs made. This being a vital question affecting the finance, both of the Government and of the proprietors, there must be a decision upon the Collector's order by an impartial tribunal. I suggest that the tribunal should be either a court in rank not below that of the sub-court or a body of respectable people who may be taken as assessors to whom the order may be referred to. Such body may be constituted out of very responsible gentlemen whose qualifications may be mentioned in the Act. Their opinion, i.e., the opinion of the court or of the assessors shall be final in the same way as an order of court under some special Act is final; that is to say, subject only to modifications by the High Court under its powers under the Government of India Act.

6. The court shall have power to enquire into the whole matter either of the necessity for repairs, the cost thereof, the liability for the same, the apportionment of the same and any other matter which is likely to go before it. It is that final decision of the court which is to be accepted by the Collector for executing the repair. No objection can be taken to such a procedure if sufficient safeguards against delay are made in the Act or by rules to be framed under it, i.e., for avoiding unnecessary delay.

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7. Under clause 8 a provision must be made for the Local Government to give notice to the proprietor to contest the decision of the Collector. In clause 8 (ii) the basis of the apportionment of costs between the Collector and the proprietor seems to me to be extremely arbitrary and unjust.

8. Periyar water under the rules framed by the Government had to be let into the proprietor's tank only with the consent of the proprietor. The proprietor's consent in most cases was not taken and Periyar water was let into the tank purely on an application made by the ryots holding dry lands in an estate. Secondly, the proprietors derive no special benefit from the letting of Periyar water into the tanks. Their income from the wet registered ayacut of the tank is not increased owing to cultivation of the same by Periyar water whereas the Government is levying a flat water rate upon every acre of land so cultivated. Therefore the only party benefited by the letting in of Periyar water into the proprietary tank is the Government. This Bill aims at compelling the proprietor to put the tank in order to receive the Government's water or to pay contribution to Government for putting the same in order. Therefore I consider that there is no principle under which the Government can reasonably ask for contribution from the landholder. The Bill is framed recognizing that all these tanks also are part of the Periyar system; what then is the justification for the Government in asking for contribution while in regard to the rest of the system the tanks are repaired at their cost and are maintained by them absolutely without contribution from anybody else? If any contribution is necessary, I suggest 5 to 10 per cent of the total expenses to be paid by the landholder. The landholder might like to pay the same because as the owner of the land he would not like to have his interest lapsed by non-interference while the Government virtually takes possession and uses his tank.

9. The proportion, that is in clause 2 of the Bill appears to have been based upon a misapprehension that the amount received by the landholder as water cess or as representing the value of the water supplied by him from the tank, is the same as the Government receives for the Periyar water supplied by it, which is not the case.

[5th February 1934]

10. In clause 8 (i) repairs are to be carried out by the Government. It may be that the proprietor himself might be willing to effect the repairs necessary at a much lower cost and that clause may be amended to include such provision also. The Government are not justified in claiming centage charges on works carried out under this Act, since in my opinion they derive the sole benefit of the repairs and also because they are also to a greater extent interested in carrying out the repairs.

11. In clause 10 the proportion of costs to be paid by the landholder is to be recovered in instalments. I suggest that the instalments should be spread over some convenient period and the amount of each instalment be fixed so that it is not more than the difference between the amount received by the landholders as assessment on the wet registered ayacut of the tank and the amount which the landholder would receive if that extent were dry lands. Mr. Hall has also recommended that the instalments have to be determined on this principle—vide page 19; paragraph 41 of his report.

12. Clause 12 is unnecessary and dangerous and that has to be omitted. In view of the various safeguards provided by the Madras Estates Land Act and the Railway Protection Act, and in view of the fact that all these years ever since the introduction of the Periyar system and the storing of water in the proprietor's tanks, there never arose any occasion of any imminent danger of breach, in view of the elaborate and adequate provisions made for the various channels and in the lake itself to prevent over-flooding of the tanks or channels, this provision is unnecessary, but on the other hand it is so drastic that the section can be used to the detriment of the proprietors when there is no imminent danger as the only authority who is to decide it is the Collector himself. It is also likely to lead to unnecessary orders due to imaginary fears and imminent danger of breach which after all might have been based on flimsy grounds.

P. C. MUTHU CHETTIAR.

5th February 1934]

[Note.—The changes made by the Select Committee are shown in Clarendon type.]

BILL No. 16 OF 1933.

A Bill to provide for the preservation in efficient condition of tanks belonging to landholders which are used as part of the Periyar system of irrigation in the Presidency of Madras.

(Bill as amended by the Select Committee.)

WHEREAS it is expedient to provide for the preservation in efficient condition of tanks belonging to landholders which are used by the Government as part of the Periyar system of irrigation in the Presidency of Madras:

AND WHEREAS the previous sanction of the Governor-General has been obtained to the passing of this Act:

It is hereby enacted as follows:—

1. This Act may be called the Periyar Irrigation Tanks (Preservation) Act, 1934.

2. It extends to the whole of the Madura district.

3. In this Act, unless there is something repugnant in the subject or context,

(a) 'Collector' means the Collector of the Madura district;

(b) 'estate' and 'landholder' have the same meaning as in the Madras Estates Land Act, 1908; and

(c) 'tank' means any tank situated wholly or partly in an estate and used by the Government as part of the Periyar system of irrigation.

4. If any question arises as to whether any area is or forms part of a tank, it shall be decided by the Collector whose decision shall be final.

5. Whenever it appears to the Collector that any tank is in a state of disrepair, he may pass a preliminary order specifying the measures which in his opinion are necessary for its repair and restoration to efficiency and cause plans and estimates of the cost of such measures to be prepared. The Collector shall

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send copies of such **preliminary order**, plans and estimates to the landholder of the estate in which the tank is situated, or if the tank is situated in **more than** one estate to each landholder concerned, together with **a notice** in writing requiring him to appear before the Collector on a date to be specified in the notice, **not being less than sixty days after the date of the notice**, and show cause why the said order should not be confirmed.

The Collector shall cause a vernacular translation of such order and notice, together with a description in the vernacular of such measures and of the estimated cost of carrying them out to be affixed in some conspicuous place or places in the village or villages in which the tank or its ayacut is situated and in such other villages, if any, as he may think fit and shall cause intimation to be given of such affixture by beat of drum in the village or in each of the villages in which such affixture has been made.

6. On or before the date specified in the notice—

(i) the landholder or any of the landholders concerned may appear before the Collector and raise an objection—

(a) that he is not the landholder of any estate in which the tank is wholly or partly situated; or

(b) that the tank does not require repair; or

(c) that measures other than those proposed would be sufficient for the repair of the tank and its restoration to efficiency; or

(d) that by law, local custom or contract any of the measures proposed should be carried out wholly or in part by or at the cost of some other person or persons.

(ii) the holder of any land irrigated by the Periyar system or any other person concerned may appear before the Collector and make such representations as he may think fit with regard to the nature of the measures proposed.

7. On the date specified in the notice or on any subsequent date to which he may adjourn his enquiry, the Collector shall hold such enquiry as he thinks fit, and after such enquiry, shall confirm, cancel or modify

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his preliminary order; and in the last case shall cause to be made such modifications in the plans and estimates as he may find necessary;

Provided that before modifying his preliminary order to the disadvantage of any party who has not appeared, he shall give a reasonable opportunity to such party to appear and show cause why the order should not be modified as proposed;

Provided further that in cases falling under clause (d) of section 6, the Collector shall specify in his final order the extent to which the landholder's liability devolves on the person or persons concerned under the law or local custom or contract and the proportions if any in which each of such persons, if more than one, shall bear such liability.

8. (1) If the Collector confirms or modifies his order under section (5), he shall report the matter to the Local Government who may cause to be carried out the measures specified in the order as confirmed or modified by him.

(2) The total cost of carrying out such measures (including the charges on account of establishment and tools and plant at such percentages on the actual cost of the work done as the Local Government may from time to time prescribe) shall be divided between the Local Government and the landholder or landholders and the other persons concerned, if any, in accordance with the following provisions:—

(a) There shall first be determined the total average area on which, during the three faslis immediately preceding the fasli in which the order under section 5 was issued, the Local Government have levied water-cess for the use of water issuing from the tank otherwise than through its surplus works, whether at the rate prescribed for the irrigation of dry land with Periyar water or at the rate prescribed for the irrigation of wet land in whole inam and zaminadari villages with such water.

(b) Each landholder concerned shall bear such proportion of the said total cost, as one half of the average area of the lands in his

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estate, on which during the said three faslis the Local Government have levied water-cess for the use of water so issuing at the rate prescribed for the irrigation with Periyar water of wet lands in whole inam and zamindari villages, bears to the total average area as determined under clause (a):

Provided that in cases falling under clause (d) of section 6, the liability of the landholder concerned shall, to the extent specified in the Collector's order under section 7, be borne by the persons and in the proportions specified in such order.

(c) The Local Government shall bear the balance of the said total cost.

Illustrations.—1. A tank is wholly situated in the estate of a landholder. **There is no law, local custom or contract** excluding the liability of the landholder. The average area on which water-cess was levied during the three faslis immediately preceding that in which the order under section 5 is issued consists of 50 acres on which water-cess was levied at the rate prescribed for the irrigation of dry lands and 30 acres on which water-cess was levied at the rate prescribed for the irrigation of wet lands in whole inam and zamindari villages. The landholder should bear $\frac{1}{30+50}$ of 30 i.e., $\frac{3}{16}$ of the total cost and the Government should bear the remainder, namely, $\frac{13}{16}$.

2. The facts are the same as in Illustration 1, except that a contract is proved by which the ryots holding the wet lands are bound to bear a share of the cost in proportion to their holding. Twenty acres of the wet lands are held by the ryots and the remaining ten by the landholder. The Government have to bear $\frac{13}{16}$ of the total cost as in Illustration 1, the ryots $\frac{2}{16}$ and the landholder $\frac{1}{16}$.

3. A tank is situated partly in the estate of landholder A and partly in that of landholder B. **There is no law, local custom or contract** excluding the liability of either landholder. The average area on which water-cess was levied during the three faslis immediately preceding, consists of 50 acres on which

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the cess was levied at the rate prescribed for dry lands, 20 acres in the estate of landholder A, on which the cess was levied at the rate prescribed for wet lands in whole inam and zamindari villages, and 10 acres in the estate of landholder B on which the cess was levied at the rate prescribed for such wet lands. Landholder A will bear $\frac{\frac{1}{2} \text{ of } 20}{50+20+10}$ or 2/16 of the total cost, landholder B will bear $\frac{\frac{1}{2} \text{ of } 10}{50+20+10}$ or 1/16 of the total cost and the Government will bear the remainder, namely, 13/16.

4. A tank is situated in the estates of several landholders. During the three faslis immediately preceding, water-cess has been levied on the whole ayacut at the rate prescribed for the irrigation of wet lands in whole inam and zamindari villages. **There is no law, local custom or contract** excluding the liability of any landholder. One-half of the total cost will be borne by the Government and the other half by the several landholders in proportion to the average area lying within their estates on which such water-cess has been levied.

9. After such measures as may have been ordered by the Local Government under section 8 have been carried out, the Collector shall cause to be served upon every landholder or other person concerned, a memorandum showing the total cost of carrying out the same and the portion of such cost for which he is liable under section 8, together with an order directing him to pay the said portion either in a lump sum within a specified time or in specified instalments.

Service of notice on landholder or other person to pay amount of cost due from him.

10. Any amount payable by a landholder or other person under an order under section 9 shall be recoverable as an arrear of land revenue.

Recovery of amount due.

11. (1) Any landholder aggrieved by an order under section 9 served on him may within six months from the date on which such order was served institute a suit in a Civil Court to have such order set aside or modified on any of the following grounds, namely:—

Right of suit of landholder, etc., in certain cases.

(a) that he is not the landholder of any estate in which the tank is wholly or partly situated; or

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- (b) that by **law**, local custom or **contract** any of the measures should have been carried out by, or at the cost of, some other person; or
- (c) that the portion of the cost for which he has been made liable has been wrongly calculated:

Provided that a landholder who has been served with an order, under section 5 shall not be entitled to institute a suit on the ground specified in clause (a) or clause (b), unless he has raised such ground in the proceedings before the Collector under section 6.

(2) Any person other than a landholder aggrieved by an order under section 9 served on him may within six months from the date on which such order was served institute a suit in a Civil Court to have such order set aside or modified on any of the following grounds, namely:—

- (a) that he is not bound to carry out any of the measures by **law**, local custom or **contract**; or
- (b) that the portion of the cost for which he has been made liable has been wrongly calculated.

Provided that no such person shall be entitled to institute a suit on the ground specified in clause (a), unless he has raised such ground in the proceedings referred to in the proviso to section 6 having had a reasonable opportunity to do so.

Procedure
in case of
emergency.

12. Whenever it appears to the Collector that any tank is in such a state of disrepair as to be in imminent danger of breaching, he may by summary order cause to be carried out the measures of repair which in his opinion are necessary to prevent the tank from breaching and shall without delay inform every landholder and other person concerned of the action which he is taking. The provisions of this Act shall thereupon apply as though such repairs had been ordered to be executed by the Local Government under section 8.

Service of
notice or
other docu-
ment.

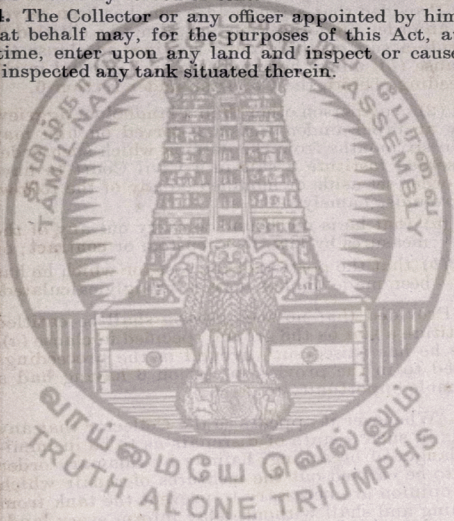
13. Every notice, **order** or other document required by this Act to be served on or sent to any person, shall, if practicable, be served personally on such person; or,

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if he cannot be found, the notice, **order** or document may be left at his usual or last known place of abode with an adult member of his family or an adult servant or agent, or may be sent by registered post, or may be affixed to some conspicuous part of his usual or last known place of abode and shall thereupon be deemed to have been duly served or sent.

14. The Collector or any officer appointed by him in that behalf may, for the purposes of this Act, at any time, enter upon any land and inspect or cause to be inspected any tank situated therein.

Powers of
entry and
inspection.



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APPENDIX VII.

[Vide item VIII—Papers laid on the table of the House at page 518 supra.]

Statement showing area irrigated under each tank falling within the scope of the Periyar Irrigation Tanks (Preservation) Bill.

Name of tank.	Total average area on which during the last three faslis the Government have levied water-cess.		Total of items (a) and (b) in column (2).	Percentage of which one half the figure in column (2) (b) bears to the total figure in column (3).
	At the rate prescribed for irrigation of dry land with Periyar water.	At the rate prescribed for irrigation of wet land in whole inam and zamindari villages.		
	(1)	(2)	(3)	(4)
	2 (a)	2 (b)	(3)	(4)
	ACS.	ACS.	ACS.	
NILAKKOTTAI TALUK.				
Achampatti—				
Achampatti tank ..	..	129.46	129.46	50
Mettupatti—				
Nedungulam tank ..	4.59	97.70	102.29	48
Panaikudi—				
Ammakulam ..	..	2.05	2.05	50
Kavandankulam ..	..	2.98	2.98	50
Kaval kanmoi ..	..	38.11	38.11	50
Panaikudi kanmoi ..	5.33	115.07	120.40	48
Vavidamaruthur—				
Chinna kanmoi ..	..	1.40	103.13	104.53
Periya kanmoi ..	..	103.13	104.53	49
Parali—				
Parali kanmoi ..	10.51	185.55	196.06	47
Tattankulam—				
Tattankulam tank ..	2.53	35.97	38.50	47
Tirumalnathan—				
Sankaran kanmoi ..	1.88	70.40	72.28	48
Nagari—				
Nagari kanmoi ..	21.65	136.66	158.31	43
Tiruvalavayanallur—				
Tiruvalavayanallur tank.	3.53	177.29	180.82	49
Sithalangudi—				
Sithalangudi tank ..	78.97	274.01	352.98	39
Pudur tank ..	21.72	318.39	340.11	47
Anaikulam ..	33.83	94.82	128.65	37
Bodinayakkanpatti—				
Reddivadugar kanmoi.	..	118.39	118.39	50
Sambukulam—				
Sambakulam kanmoi ..	192.21	125.67	317.88	20
	113.57	22.35	135.92	(a) 8
Total ayacut in both the villages ..	305.78	148.02	453.80	16
Tanichiam—				
Periya kanmoi ..	72.76	788.84	861.60	46
	24.76	6.19	30.95	(b) 10
Total ayacut of the tank in both the villages ..	97.52	795.03	892.55	45
Pudukulam ..	5.60	53.08	58.58	45
	66.95	10.56	77.51	(c) 7
Total ayacut of the tank in both the villages ..	72.45	63.64	136.09	23

(a) Lands irrigated in Sithalangudi village limits.

(b) Lands irrigated within Tiruvalavayanallur village limits

(c) Lands irrigated within Nagari limits.

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Name of tank.	Total average area on which during the last three faslis the Government have levied water-cess.		Total of items (a) and (b) in column (2).	Percentage of which one half the figure in column (2) (b) bears to the total figure in column (3).
	At the rate prescribed for irrigation of dry land with Periyar water.	At the rate prescribed for irrigation of wet land in whole inam and zamindari villages.		
	(1)	(2) (a)	(3)	(4)
	ACS.	ACS.	ACS.	
MELUR TALUK.				
Sorukulipatti—				
Sorukulipatti kanmoi ..	0.84	83.91	84.75	49
Perungalakudi—				
Keelaperungalakudi kanmoi ..	..	26.38	26.38	50
Melaperungalakudi kanmoi ..	28.77	144.00	172.77	42
Kilavikulam—				
Kilavikulam kanmoi ..	..	86.23	86.23	50
Unukal Puliyankulam—				
Unukal Puliyankulam ..	8.97	135.18	144.15	47
Veppadappu—				
Panikkan endal ..	19.36	460.41	479.77	48
Embi kanmoi ..				
Sinnakonakulam ..				
Pillukulam kanmoi ..				
Periyakonakulam ..				
Kumili kanmoi ..				
Patti kanmoi ..				
Namba kulandai kye ..				
Damodaram kanmoi ..				
Muthalu kulam ..				
Valayankulam—				
Valayankulam kanmoi ..	27.77	57.26	85.03	34
MADURA TALUK.				
Bibikulam ..	1.11	94.96	96.07	49
Sokkikulam ..	2.21	62.52	64.73	48
Sokkikulam sinna kanmoi ..	0.79	10.26	11.05	47
Vellaikuppan tank ..	0.91	69.05	69.96	49
Esalani tank ..	..	124.82	124.82	50
Ayyanendal tank ..	..	25.48	25.48	50
Tachanendal ..	64.53	75.30	139.83	27
Karuppukkal tank ..	79.15	67.69	146.84	23
Vellangulam tank ..	0.75	116.82	117.57	50
Kosayikulam ..	76.73	49.20	126.02	20
Poolangulam ..	105.81	28.91	134.72	11
Kathavanendal ..	32.42	46.60	70.02	30
Seegangulam ..	25.45	50.70	85.24	35
Pappagudi tank ..	53.70	122.57	176.27	36
Athikulam tank ..	50.46	55.58	106.04	26
Vedathakulam tank ..	45.41	67.41	112.62	30
Vellagundu tank ..	..	17.21	17.21	50
Udangundu tank ..	33.91	68.13	102.04	33
Alavandan tank ..	2.86	20.46	23.32	44
Mundanayagam tank ..	151.17	27.46	178.63	6
Mylangundu kanmoi ..	10.24	84.56	94.80	45
Podaupatti kanmoi ..	11.40	42.60	54.00	40
Eachaneri kanmoi ..	..	37.27	37.27	50
Sithakur kanmoi ..	..	62.73	62.73	50
Kundukulam kanmoi ..	..	74.72	74.72	50
Panaikulam kanmoi ..	..	68.07	68.97	50

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Total average area on which
during the last three faslis
the Government have
levied water-cess.

Name of tank.	At the rate prescribed for irrigation of dry land with Periyar water.	At the rate prescribed for irrigation of wet land in whole inam and zamindari villages.	Total of items (a) and (b) in column (2).	Percentage which one half the figure in column (2) (b) bears to the total figure in column (3).
(1)	(2) (a)	(2) (b)	(3)	(4)
	ACS.	ACS.	ACS.	
<i>MADURA TALUK—cont.</i>				
Elandaikulam kanmoi ..	253.44	35.96	280.40	6
Malliapuli kanmoi ..	6.42	72.75	79.17	46
Veerapanjan Sinna kanmoi and Periya kanmoi ..	25.43	56.58	82.01	35
Sivalingam Periya kanmoi.	5.91	61.08	67.80	46
Sivalingam Sinna kanmoi.	3.18	31.52	34.70	45
Ulaganeri Periya kanmoi and Sinna kanmoi ..	189.99	64.11	254.10	15
Narasingam kanmoi ..	..	123.38	123.38	50
Soorakulam kanmoi ..	..	6.18	6.18	50
Thattangulam Periya kanmoi and Sinna kanmoi ..	..	37.19	37.19	50
Perakur Kanmoi ..	69.47	111.37	180.84	31
Thathankulam kanmoi ..	47.49	39.61	87.10	23
Sena Nedungulam Periya kanmoi and Sinna kanmoi ..	5.42	68.88	74.30	46
Pappangulam kanmoi ..	20.25	9.60	29.85	16
Kollangulam kanmoi ..	15.08	83.08	98.16	42
<i>Kathakinar.</i>				
Thannuthu kanmoi ..	..	10.59	10.59	50
Periya kanmoi ..	..	72.84	72.84	50
Peekulam kanmoi ..	..	4.95	4.95	50
Sembiyendal kanmoi ..	..	16.26	16.26	50
Kadakashivanendal kan- moi ..	82.47	65.18	147.65	22
Sengulam kanmoi ..	..	58.23	58.23	50
Thathankulam Periya kanmoi and Sinna kanmoi ..	2.81	34.00	36.81	46
Kundusetti kanmoi ..	13.66	15.50	29.16	27
Sirupuliendal tank ..	..	8.87	8.87	50
Kannikulam tank ..	56.08	24.57	80.65	15
Parayankulam tank ..	..	30.98	30.98	50
Kondisetti kulam ..	7.18	4.41	11.59	19
Savalakaran kanmoi ..	6.15	46.28	52.43	44
<i>Velliakundram.</i>				
Shanmuganadhi kanmoi ..	..	107.41	107.41	50
Sengulam kanmoi ..	..	35.75	35.75	50
Veppi kanmoi ..	..	35.84	35.84	50
Velliagundaram kanmoi ..	..	222.55	222.55	50
Paraikulam ..	..	12.84	12.84	50
Kannimarkulam ..	..	6.38	6.38	50
Peria Amanthur kanmoi ..	..	20.14	20.14	50
Appanthiruppathi tank ..	1.48	81.70	83.18	49
<i>Poondi.</i>				
Peria kanmoi ..	2.45	59.13	61.58	48
Sinna kanmoi ..	..	35.14	35.14	50
Udaikulam ..	..	32.62	32.62	50

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Name of tank.	Total average area on which during the last three faslis the Government have levied water-cess.		Total of items (a) and (b) in column (2).	Percentage of which one-half the figure in column (2) bears to the total figures in column (3).
	At the rate prescribed for irrigation of dry land with Periyar water.	At the rate prescribed for irrigation of wet land in whole inam and zamindari villages.		
(1)	(2) (a)	(2) (b)	(3)	(4)
MADURAI TALUK—cont.				
<i>Porasapatti.</i>				
Paluam kanmoi .. .. .	.. .. .	12.16	12.16	50
Chettikulam kanmoi .. .. .	.. .. .	90.26	90.26	50
Navakulam kanmoi .. .. .	.. .. .	63.36	63.36	50
<i>Navakulam.</i>				
Seethakulam kanmoi .. .. .	.. .. .	13.98	13.98	50
Andaman kanmoi	43.20	121.24	164.44	37
Veppi kanmoi	0.22	15.12	15.34	49
Pasukulam kanmoi	9.39	4.35	13.74	16
Paraikulam kanmoi	1.47	51.18	52.63	49
Pudukulam kanmoi	2.60	1.43	4.03	18
<i>Vakulam.</i>				
Peria Vakulam kanmoi	3.61	85.81	89.42	48
Sinna Vakulam kanmoi .. .. .	.. .. .	17.28	17.28	50
Erukkanatham kanmoi .. .. .	.. .. .	3.93	3.93	50
Poonachi kanmoi .. .. .	.. .. .	1.98	1.98	50
<i>Mathur.</i>				
Pilluseri kanmoi. .. .. .	.. .. .	17.30	17.30	50
Kallandiri kanmoi .. .. .	.. .. .	12.08	12.88	50
<i>Valayankulam.</i>				
Keela kanmoi	43.52	103.39	146.91	35
Mela kanmoi .. .. .	.. .. .	176.50	176.50	50
Thuyyaneri madai .. .. .	.. .. .	2.00	2.00	50
Mudaliendal .. .. .	.. .. .	34.00	34.00	50
Vadakundu kanmoi .. .. .	.. .. .	50.80	50.80	50
Chettikulam .. .. .	.. .. .	48.59	48.59	50
Pilluseri kanmoi	40.10	65.23	105.33	31
<i>Pirakudi.</i>				
Keela kanmoi .. .. .	.. .. .	4.35	4.35	50
Mathur Pirakudi kanmoi	2.82	68.95	71.77	48
Poovakudi kanmoi .. .. .	.. .. .	48.50	48.50	50
<i>Jothiappatti.</i>				
Vagulam kanmoi	14.68	101.30	115.98	44
Jothia kanmoi	1.93	32.41	34.34	47
<i>Kurudur.</i>				
Koothankulam	7.29	52.29	59.58	44
Nedunkulam	0.28	14.62	14.90	49
Manthaikulam .. .. .	.. .. .	11.32	11.32	50
Periakulam .. .. .	.. .. .	88.17	88.17	50
Sinnakulam		32.42	32.42	50
Vakulam	9.75	10.43	20.18	26
Thulukankulam tank	11.00	34.00	45.00	38

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Total average area on which during the last three faslis the Government have levied water-cess.

Name of taluk.	At the rate prescribed for irrigation of dry land with Periyar water.	At the rate prescribed for irrigation of wet land in whole inam and zamindari villages.	Total of items (a) and (b) in column (2).	Percentage of which one-half the figures in column (2) bears to the total figures in column (3).
(1)	2 (a)	2 (b)	(3)	(4)
	ACS.	ACS.	ACS.	
MADURA TALUK—cont.				
<i>Eraniem.</i>				
Peria kanmoi	..	19.00	19.00	50
Pudu kanmoi	..	3.75	3.75	50
Sathiendal	..	5.26	5.26	50
Poonari kanmoi	10.47	44.44	54.91	50
<i>Alathur.</i>				
Peria kanmoi	..	135.00	135.00	50
Sinna kanmoi	..	24.30	24.30	50
Sichulappai kanmoi	..	70.08	70.08	50
<i>Athikulam.</i>				
Athikulam kanmoi	..	28.75	28.75	50
Periapuliyangulam kanmoi	..	42.28	42.28	50
Sinnapuliyangulam kanmoi	5.42	8.25	13.67	30
<i>Nagankulam.</i>				
Kanakkan kanmoi	5.28	27.12	32.40	42
Peria kanmoi	19.43	30.74	50.17	31
Sinna kanmoi	5.88	6.55	12.43	26
Parayathikulam tank	21.26	38.45	59.71	32
Kurundankulam kanmoi	3.92	20.58	24.50	42
<i>Maranavariendal.</i>				
Veppangulam tank	20.10	30.94	51.04	30
Marani kanmoi	55.70	75.96	131.66	29
Variendal kanmoi	38.45	15.50	53.95	15
<i>Veppangulam.</i>				
Veppangulam tank	30.72	170.99	201.71	42
Parasurampatti tank	10.44	41.67	52.11	40
<i>Veerapandi.</i>				
Peria kanmoi	..	198.75	198.75	50
Kudukulam kanmoi	..	100.91	100.91	50
Sirudur Peria kanmoi	16.96	145.70	162.66	45
Sinna kanmoi	27.11	120.68	147.79	41
Men endal	96.92	3.23	100.15	2
Vellurani	0.51	10.14	10.65	48
Tiruppalai Peria kanmoi	26.00	65.04	91.04	36
Do. Sinna kanmoi	2.05	40.30	42.35	48
Kannanendal tank	2.68	42.04	44.72	47
Melapanangadi tank	62.07	138.50	200.57	35
Vadugapatti tank	132.76	285.03	417.79	34
Vyavanatham tank	376.56	221.42	597.98	19
Pillayarnatham tank	36.43	107.72	144.15	37
Sambarkulam tank	20.06	80.44	100.50	40
Vagaikulam tank	48.73	71.03	119.76	30
Keelapanangadi tank	53.97	63.15	117.12	27
Vittangulam tank	119.15	21.48	140.63	8
Siruvalai Peria kanmoi	47.66	187.66	235.32	40
Do. Sinna kanmoi	37.64	109.24	146.88	37
Vallakulam tank	..	54.19	54.19	50

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Name of taluk.	Total average area on which during the last three faalis the Government have levied water-cess.		Total of items (a) and (b) in column (2).	Percentage of which one-half the figures in column (2) (b) bears to the total figures in column (3).
	At the rate prescribed for irrigation of dry land with Periyar water.	At the rate prescribed for irrigation of wet land in whole inam and zamindari villages.		
(1)	(2) (a)	(2) (b)	(3)	(4)
	ACS.	ACS.	ACS.	
MADURA TALUK—cont.				
Araiyur.				
Mela kanmoi	..	145.53	145.53	50
Kila kanmoi	..	70.45	70.45	50
Keelanedungulam tank ..	..	133.60	133.60	50
Kalligudi tank	164.03	38.66	202.69	10
Moolakurichi kanmoi ..	..	145.16	145.16	50
Sambandar Alangulam tank	73.90	66.64	140.54	24
Pattakurichi kanmoi ..	5.20	96.88	102.08	48
Vayalur.				
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[Vide item VIII—PAPERS laid on the table of the House at page 518 supra.]

FINANCE DEPARTMENT

List of posts on Rs. 500 per mensem and above created during the quarter ending 31st December 1933.

Department and designation of the post.	Pay per mensem.	Period of tenure.	Remarks.
PERMANENT.			
Nil.			
TEMPORARY.			
Extension of previous sanction			
RS.			
Public Department— Additional Sessions Judge, Coimbatore.	Pay in the senior time-scale of the Indian Civil Service.	For one year from 24th December 1933.	....
Law Department— Additional Sub-Judge, Coimbatore.	650	One year from 1st October 1933.	....
Additional Sub-Judge, Vizagapatam.	650	One year from 24th December 1933.	....
Public Works and Labour Department— Executive Engineer.	625—1,375	Till the end of March 1934.	For charge of the Rattnad division.
Electrical Engineer, Cauvery-Mettur Project.	800—100—1,200	3rd December 1933 to 31st March 1935.	....

[5th February 1934]

Department and designation of the post.	Pay per mensem.	Period of tenure.	Remarks.
TEMPORARY.			
<i>Posts newly created.</i>			
RS.			
Public Department— Collector	2,500 <i>plus</i> £30 over- seas pay.	From 15th Novem- ber 1933 to 2nd January 1934.	Mr. A. R. Cox, I.C.S., was appointed to be on special duty as a nominated member of the Assembly.
Additional Secretary to Government, Public Department.	2,500, over- seas pay £30, special pay Rs. 250.	For six months from 16th November 1933.	Mr. G. T. Boag, C.I.E., I.C.S., has been ap- pointed to the post.
Officer on special duty in the Chief Secre- tariat for the prepara- tion of the Presidency Administration Report.	Pay in the regular line of the Indian Civil Service <i>plus</i> Madras house allowance.	From 26th October 1933 to 25th January 1934.	Mr. P. Achutha Menon, I.C.S., was appointed to be on special duty.
Officer on special duty in the Chief Secre- tariat for editing certain pamphlets for distribution in the Presidency.	Pay in the regular line of the Indian Civil Service <i>plus</i> Madras house allowance.	One month from 23rd November 1933.	Mr. D. I. R. Muir, I.C.S., was appointed to the post.
Additional Assistant Secretary, Public Department.	500—50— 800	8th December 1933 to 31st March 1934.	For the revision of the statutory rules for the services.
Finance Department— Assistant Secretary, Finance Department.	500—50— 800	For six months from 1st October 1933.	For the preparation for budget estimates for 1934—35.
Revenue Department— Joint Secretary to the Board of Revenue.	Pay in the senior time-scale of the Indian Civil Service <i>plus</i> Madras house allowance.	20th October 1933 to 31st March 1934.	The post is created in lieu of the post on Director of Land Records.
Law Department— Sub-Judge, Kurnool ..	650	From 1st October 1933 up to the commencement of the summer recess for 1934.	

S. A. VENKATARAMAN,
Deputy Secretary to Government.

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FOURTH SESSION OF THE FOURTH
LEGISLATIVE COUNCIL

29th, 30th and 31st January, 1st, 2nd and
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